



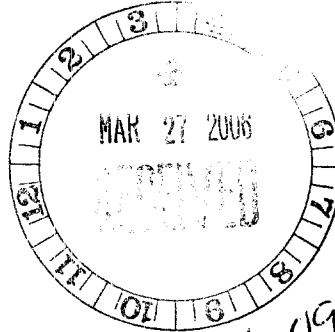
Kirkpatrick & Lockhart Nicholson Graham LLP

1601 K Street, N.W.
Washington, DC 20006-1600
202.778.9000
Fax 202.778.9100
www.klmg.com

March 27, 2006

Hand Delivery

The Honorable Vernon A. Williams
Secretary
Surface Transportation Board
1925 K Street, N.W.
Washington, DC 20423



Janie C. I. Sheng
202.778.9855
Fax: 202.778.9100
jsheng@klmg.com

RE: Docket No. AB-439 (Sub-No. 6X) 216093
Dallas Area Rapid – Abandonment Exemption – In Collin County, Texas

Docket No. AB-585 (Sub-No. 1X) 216095
Dallas, Garland and Northeastern Railroad – Discontinuance Exemption – In Collin County, Texas

Dear Secretary Williams:

Enclosed for filing in the above-captioned proceeding are an original and ten copies of the **Verified Joint Notice of Exemption** of Dallas Area Rapid Transit and Dallas, Garland and Northeastern Railroad, dated March 26, 2006. A check in the amount of \$6,000, representing the appropriate filing fee for this transaction, is attached. The original copy of the Environmental/Historic Report accompanying the Notice has been provided directly to the Board's Section of Environmental Analysis.

An additional copy of this letter is enclosed for date-stamp and return to our messenger.

If you have any questions regarding this filing, please feel free to contact me. Thank you for your assistance on this matter.

FEE RECEIVED
MAR 27 2006
SEE PAGE
TRANSPORTATION BOARD

Respectfully submitted,

Janie Sheng
Janie Sheng

Enclosures

cc: Victoria Rutson, SEA

FILED

MAR 27 2006

**SURFACE
TRANSPORTATION BOARD**



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March 27, 2006

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1925 K Street, N.W.
Washington, DC 20423

**RE: Docket No. AB-439 (Sub-No. 6X)
Dallas Area Rapid – Abandonment Exemption – In Collin County,
Texas**

**Docket No. AB-585 (Sub-No. 1X)
Dallas, Garland and Northeastern Railroad – Discontinuance
Exemption – In Collin County, Texas**

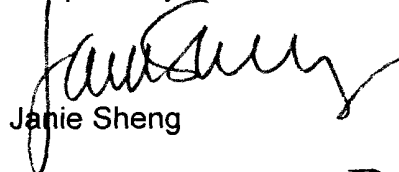
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Respectfully submitted,



Janie Sheng

Enclosures
cc: Victoria Rutson, SEA

FILED

MAR 27 2006

**SURFACE
TRANSPORTATION BOARD**

DC-788760 v1

BOSTON • DALLAS • HARRISBURG • LONDON • LOS ANGELES • MIAMI • NEWARK • NEW YORK • PALO ALTO • PITTSBURGH • SAN FRANCISCO • WASHINGTON

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-439 (Sub-No. 6X)

DALLAS AREA RAPID TRANSIT
-- ABANDONMENT EXEMPTION --
IN COLLIN COUNTY, TEXAS

DOCKET NO. AB-585 (Sub-No. 1X)

DALLAS, GARLAND AND NORTHEASTERN RAILROAD
- DISCONTINUANCE EXEMPTION -
IN COLLIN COUNTY, TEXAS

JOINT NOTICE OF EXEMPTION

Edward J. Fishman
Janie Sheng
Kirkpatrick & Lockhart
Nicholson Graham LLP
1601 K Street, NW
Washington, DC 20006

**ATTORNEYS FOR DALLAS AREA
RAPID TRANSIT**

Gary Laakso
Vice President and Regulatory Counsel
RailAmerica, Inc.
5300 Broken Sound Boulevard, NW
2nd Floor
Boca Raton, FL 33487

**ATTORNEY FOR DALLAS, GARLAND AND
NORTHEASTERN RAILROAD**

Dated: March 27, 2006

BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-439 (Sub-No. 6X)

DALLAS AREA RAPID TRANSIT
-- ABANDONMENT EXEMPTION --
IN COLLIN COUNTY, TEXAS

DOCKET NO. AB-585 (Sub-No. 1X)

DALLAS, GARLAND AND NORTHEASTERN RAILROAD
-- DISCONTINUANCE EXEMPTION --
IN COLLIN COUNTY, TEXAS

JOINT NOTICE OF EXEMPTION

Dallas Area Rapid Transit ("DART") and Dallas, Garland and Northeastern Railroad ("DGNO") hereby file this Joint Notice of Exemption pursuant to 49 C.F.R. § 1152.50 for DART to abandon, and DGNO to discontinue trackage rights over, an approximately 8.85-mile line of railroad in Collin County, Texas. A map indicating the subject rail line is attached hereto as Exhibit A. In accordance with 49 C.F.R. § 1152.50(d)(2), DART and DGNO submit the following information:

Identification of Applicant: 49 C.F.R. § 1152.22(a)(1)-(2)

DART is a political subdivision of the State of Texas charged with developing and operating a public transit system in the greater Dallas area. DGNO is a Class III common carrier by rail that operates over approximately 185 miles of rail line in the State of Texas.

The full names and addresses of the applicants herein are as follows:

Dallas Area Rapid Transit
1401 Pacific Avenue
Dallas, TX 75202

Dallas, Garland and Northeastern Railroad
c/o RailAmerica, Inc.
5300 Broken Sound Boulevard, NW
2nd Floor
Boca Raton, FL 33487

Relief Sought: 49 C.F.R. § 1152.22(a)(3)

Pursuant to the Board's class exemption for the abandonment and discontinuance of service over out-of-service rail lines, codified at 49 C.F.R. § 1152.50(b), DART seeks to abandon a line of railroad between approximately milepost 281.65 near Plano, TX and approximately milepost 290.5 near Allen, TX (the "Subject Line"). The Subject Line was constructed in approximately 1874 by the Houston & Texas Central Railroad as part of a route between Dallas and Denison and eventually came under control of the Southern Pacific Transportation Company ("SPTC"). DART acquired the portion of the Subject Line between approximately milepost 281.5 near Plano Parkway and approximately milepost 285.1 near Spring Creek Parkway from the SPTC in 1988 for future use as a public transit corridor. Dallas Area Rapid Transit – Acquisition and Operation Exemption – Rail Lines of Southern Pacific Transportation Company, Finance Docket No. 31267 (ICC served May 20, 1988) (authorizing, inter alia, DART's acquisition of the Ennis Subdivision North Mainline from SPTC between approximately milepost 273.0 at Gifford Junction and approximately milepost 285.1 near Spring Creek Parkway).

As part of that transaction, SPTC retained local and overhead trackage rights for a period of not more than five (5) years over the portion of the former Ennis Subdivision North between approximately milepost 273.0 at Gifford Junction and approximately milepost 282.10 at the crossing of the SPTC line and a perpendicular St. Louis Southwestern Railway Company ("SSW") line in Plano. Southern Pacific Transportation Company – Trackage Rights Exemption – Dallas Area Rapid Transit, Finance Docket No. 31270 (ICC served May 20, 1988).¹ In addition, SSW acquired local trackage rights for a period of not more than five (5) years over the same portion of the former Ennis Subdivision North between approximately milepost 273.0 at Gifford Junction and approximately milepost 282.10 at the SPTC-SSW crossing in Plano. St. Louis Southwestern Railway Company – Trackage Rights Exemption – Dallas Area Rapid Transit, Finance Docket No. 31278 (ICC served May 20, 1988).

In 1997, DART, SPTC and SSW jointly obtained an exemption from STB authority to abandon and discontinue freight service over the portion of the former Ennis Subdivision North between approximately milepost 273.0 at Gifford Junction and approximately milepost 281.65 at Plano Parkway in Plano. Dallas Area Rapid Transit – Abandonment Exemption – In Dallas and Collin Counties, TX, STB Docket No. AB-439 (Sub-No. 2X), et al., (STB served May 15, 1997). At that time DART did not seek authority to abandon and SPTC did not seek authority to discontinue its freight operating rights on the remaining portion of the former Ennis Subdivision North owned by DART between approximately milepost 281.65 and approximately milepost 285.1. Also, at that time, Union Pacific Railroad Company ("UP") as a successor in interest to

¹ SPTC retained freight operating rights over the portion of the Subject Line between approximately milepost 282.1 and approximately milepost 285.1.

SPTC, continued to own the portion of the Subject Line between approximately milepost 285.1 near Spring Creek parkway in Plano and approximately milepost 290.5 near Stacy Road in Allen.

In 1999, DGNO acquired a leasehold interest on the portion of the Subject Line between approximately milepost 285.1 and approximately milepost 290.5 from UP. In addition, DGNO acquired UP's trackage rights over the portion of the Subject Line then owned by DART between approximately milepost 281.65 and approximately milepost 285.1. Dallas Garland & Northeastern Railroad, Inc. – Lease Exemption – Union Pacific Railroad Company, Finance Docket No. 33686 (STB served Feb. 5, 1999).²

In 2001, DGNO acquired a leasehold interest on the portion of the Subject Line between approximately milepost 285.1 near Spring Creek Parkway in Plano and approximately milepost 290.5 near Stacy Road in Allen from UP subject to DGNO's leasehold interest. Dallas Area Rapid Transit – Acquisition Exemption – Lines of Union Pacific Railroad Company, Finance Docket No. 34063 (STB served July 20, 2001).

As a result of the foregoing transactions, DART currently owns the Subject Line, DGNO has trackage rights over the portion of the Subject Line between approximately milepost 281.65 near Plano Parkway and approximately milepost 285.1 near Spring Creek Parkway, and DNGO has a lease for freight operations on the portion of the Subject Line between approximately milepost 285.1 near Spring Creek Parkway and approximately milepost 290.5 near Stacy Road in Allen. DGNO no longer provides

² The DNGO notice of exemption and subsequent STB federal register notice in Finance Docket No. 33686 refer to these trackage rights as extending between approximately milepost 281.1 and approximately milepost 285.1. DART believes that the correct southern endpoint of these trackage rights is approximately milepost 281.65 (rather than 281.1) because UP's predecessor SPTC had already obtained STB authority to discontinue its trackage rights between milepost 281.1 and milepost 281.65 in STB Docket No. AB-429 (Sub-No. 2X) et al.

freight rail service on the Subject Line. DART does not at this point use the Subject Line as part of its public transit system, but has plans to do so in the future.

Map: 49 C.F.R. § 1152.22(a)(4)

A map showing the location of the Subject Line and its relation to other rail lines, highways, water routes and population centers in the area is attached hereto as Exhibit A.

Applicants' Representatives: 49 C.F.R. § 1152.22(a)(7)

Any questions concerning this application should be sent to DART and DGNO representatives at the following addresses:

For DART:

Edward J. Fishman
Janie Sheng
Kirkpatrick & Lockhart Nicholson Graham LLP
1601 K Street, NW
Washington, DC 20006

For DGNO:

Gary Laakso
Dallas, Garland and Northeastern Railroad
c/o RailAmerica, Inc.
5300 Broken Sound Boulevard, NW, 2nd Floor
Boca Raton, FL 33487

Zip Codes of the Subject Line: 49 C.F.R. § 1152.22(a)(8)

The Subject Line traverses one or more of the following United States Postal Service ZIP codes: 75023, 75024, 75025, 75026, 75074, 75075, 75086, 75093, 75094, 75002 and 75013.

Qualification for Class Exemption: 49 C.F.R. § 1152.50(b)

DART and DGNO certify that no local traffic has moved over the Subject Line for at least two years and any overhead traffic on the line can be rerouted over other lines.

In addition, no formal complaint filed by a user of rail service on the Subject Line (or a state or local governmental entity acting on behalf of such user) regarding cessation of service over the Subject Line either is pending with the Board or any U.S. District Court or has been decided in favor of such complainant during the last two years. See Certifications of Thomas Neville (for DART) and Larry Bush (for DGNO), attached hereto as Exhibits B and C, respectively.

Proposed Consummation Date: 49 C.F.R. § 1152.50(d)(2)

DART intends to railbank under the National Trails System Act, and DGNO intends to discontinue its trackage rights over, the Subject Line soon after this Notice of Exemption becomes effective.

Suitability for Other Public Purposes: 49 C.F.R. § 1152.22(e)(4)

The right-of-way of the Subject Line may be suitable for alternative public use under 49 U.S.C. § 10905, including future use as part of a public transit corridor or potential use as a recreational trail. DART has plans to railbank the Subject Line for these purposes.

Notice Requirement: 49 C.F.R. § 1152.50(d)(2), 1105.11

A certificate that the agencies designated in 49 C.F.R. § 1152.50(d)(1) have been served with written pre-filing notice of this abandonment is attached hereto as Exhibit D. A certificate that the Environmental/Historic Report accompanying this Notice of Exemption as Exhibit E has been served on the agencies designated in 49 C.F.R. § 1105.7(b) is attached as Appendix R to that Report.

Labor Protection: 49 C.F.R. § 1152.50(d)(2)

The appropriate level of labor protection for the abandonment and discontinuance of service transactions proposed herein is that set forth in Oregon Short Line R. Co. – Abandonment – Goshen, 360 I.C.C. 91 (1979).

Environmental and Historic Preservation Data: 49 U.S.C. § 1105

An Environmental/Historic Report prepared in compliance with the requirements and specifications of 49 C.F.R. § 1105 is attached hereto as Exhibit E. That report concludes that the proposed abandonment and discontinuance, if implemented, will not significantly affect either the quality of the human environment or the conservation of energy resources.

Respectfully submitted,

By: _____

Edward J. Fishman

Janie Sheng

Kirkpatrick & Lockhart

Nicholson Graham LLP

1601 K Street, NW

Washington, DC 20006

**ATTORNEY FOR DALLAS AREA
RAPID TRANSIT**

Gary Laakso

Vice President and Regulatory Counsel

RailAmerica, Inc.

5300 Broken Sound Boulevard, NW

2nd Floor

Boca Raton, FL 33487

**ATTORNEY FOR DALLAS, GARLAND AND
NORTHEASTERN RAILROAD**

Dated: March 27, 2006

VERIFICATION

County of Collin

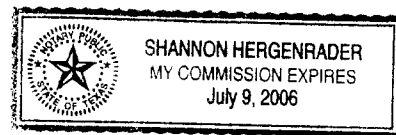
)
) SS:
)

Thomas Neville, being duly sworn, deposes and says that he is the Senior Manager, Railroad Management for Dallas Area Rapid Transit, that he has read the foregoing Notice of Exemption and knows the facts asserted therein, and that the same are true as stated, to the best of his knowledge, information and belief.


Thomas Neville

SUBSCRIBED AND SWORN to
before me this 21st day of ~~February~~, 2006.
March

Shannon Heigenrader
Notary Public

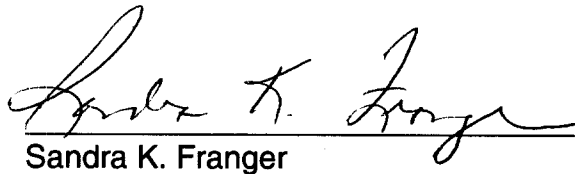


My Commission expires: July 9, 2006

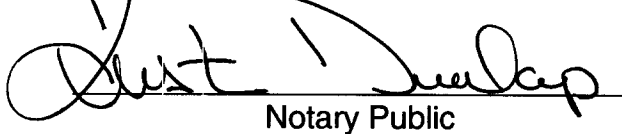
VERIFICATION

State of Florida)
) SS:
County of _____)

Sandra K Franger, being duly sworn, deposes and says that she is the Vice President – Contracts & Inter-carrier Agreements of the Dallas, Garland and Northeastern Railroad, and that she has read the foregoing Notice of Exemption and knows the facts asserted therein, and that the same are true as stated, to the best of his knowledge, information and belief.

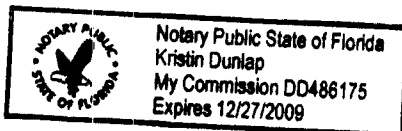

Sandra K. Franger

SUBSCRIBED AND SWORN to
before me this 13 day of February, 2006.


Notary Public

My Commission expires:

PERSONALLY KNOWN: 
PRODUCED I.D.: _____





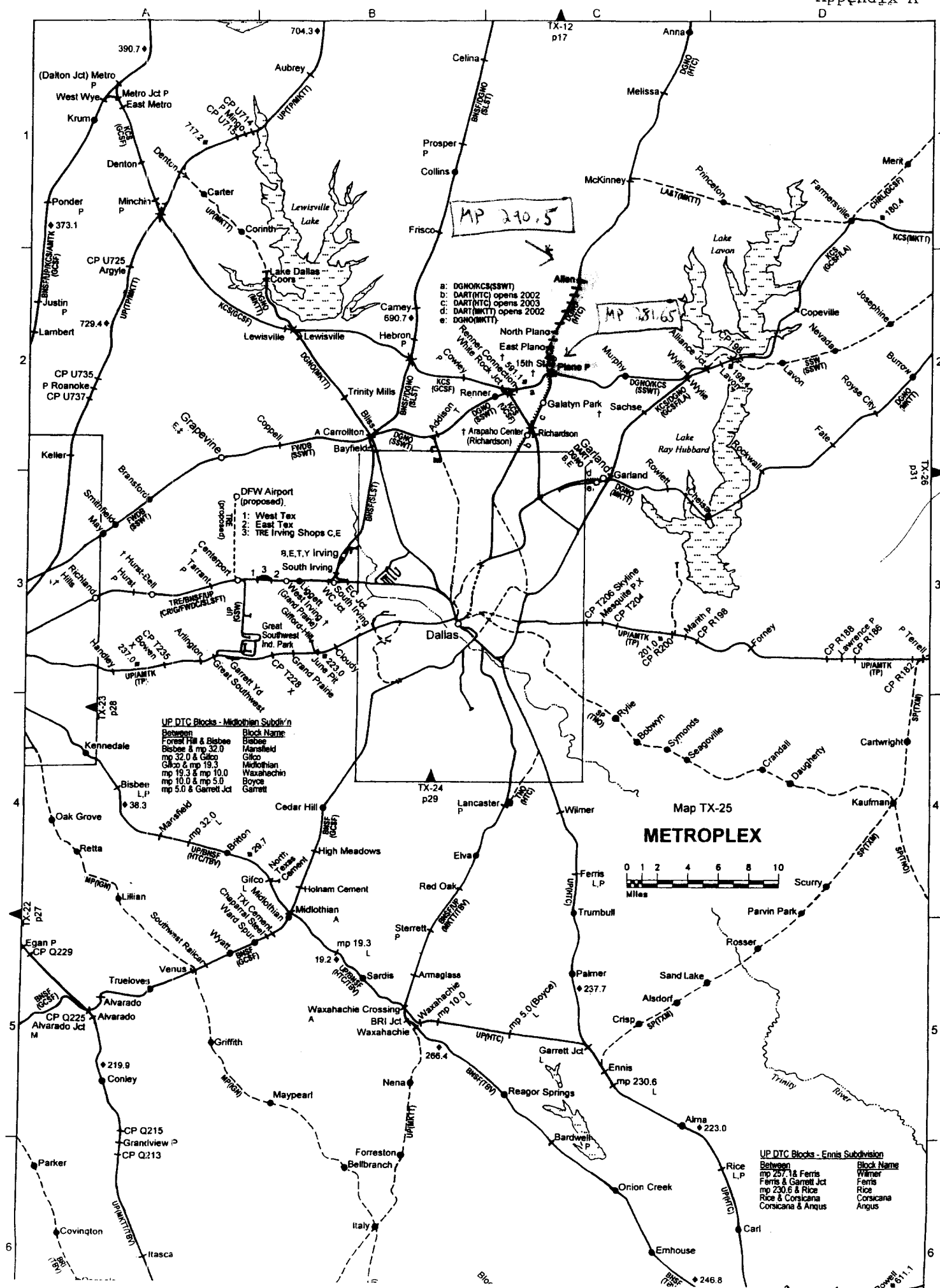




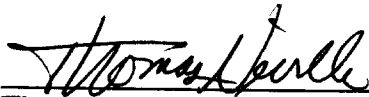
EXHIBIT B

CERTIFICATION

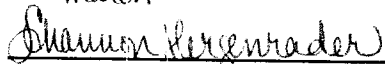
State of Texas)
)
County of Collin) SS:

Thomas Neville, being duly sworn, deposes and says that he is the Senior Manager, Railroad Management for Dallas Area Rapid Transit, and that to the best of his knowledge, information and belief:

No local freight rail traffic has moved over the railroad line extending between approximately milepost 281.65 near Plano, TX and approximately milepost 290.5 near Allen, TX, (the "Subject Line") within Collin County, Texas within the last two (2) years and any overhead traffic on the line can be rerouted over other lines. No formal complaint filed by a user of rail service on the Subject Line (or a state or local governmental entity acting on behalf of such user) regarding cessation of service over the Subject Line either is pending with the Board or any U.S. District Court or has been decided in favor of such complainant during the last two years.


Thomas Neville

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before me this 21st day
of ~~February~~ ^{March}, 2006.


Notary Public

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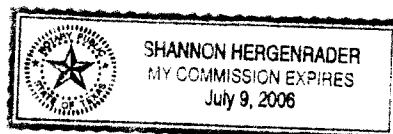




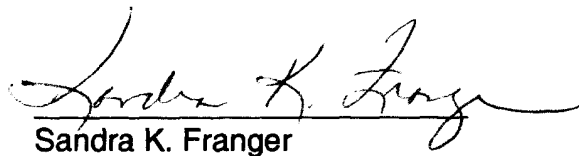
EXHIBIT C

CERTIFICATION

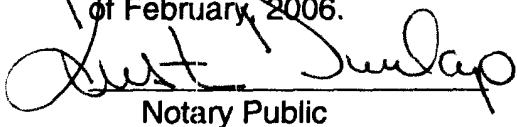
State of Texas Florida)
County of _____) SS:

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Sandra K. Franger

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before me this 13 day
of February, 2006.


Notary Public

My Commission expires:

PERSONALLY KNOWN:
PRODUCED I.D.:



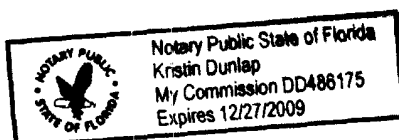




EXHIBIT D

CERTIFICATE OF NOTIFICATION

I hereby certify that on or before November 14, 2005, a written notice containing the information specified in 49 C.F.R. § 1152.50(d)(1) was served by first class mail, postage prepaid, upon the following agencies as designated in that section:

Railroad Commission of Texas
P.O. Box 12967
Austin, Texas 78711-2967

Military Traffic Management Command
Transportation Engineering Agency
Railroads for National Defense Program
720 Thimble Shoals Boulevard, Suite 130
Newport News, VA 23606-2574

Ms. Fran P. Mainella, Division Chief
National Recreation and Conservation Assistance Division
National Park Service
1849 C Street, N.W.
Washington, DC 20240

Mr. Jack Ward Thomas
Chief of the Forest Service
Department of Agriculture
Auditors Building, Fourth Floor N.W.
201 14th Street, S.W.
Washington, DC 20250



Edward J. Fishman

Dated: March 27, 2006



BEFORE THE
SURFACE TRANSPORTATION BOARD

DOCKET NO. AB-439 (Sub-No. 6X)

DALLAS AREA RAPID TRANSIT
-- ABANDONMENT EXEMPTION --
IN COLLIN COUNTY, TEXAS

DOCKET NO. AB-585 (Sub-No. 1X)

DALLAS, GARLAND AND NORTHEASTERN RAILROAD
COMPANY -- DISCONTINUANCE EXEMPTION --
IN COLLIN COUNTY, TEXAS

ENVIRONMENTAL/HISTORIC REPORT

Dallas Area Rapid Transit ("DART") and the Dallas, Garland and Northeastern Railroad Company ("DGNO") (the "Applicants") submit this Environmental/Historic Report (the "Report") in accordance with the reporting requirements of 49 C.F.R. §§ 1105.7 and 1105.8. It is the conclusion of the Report that the proposed abandonment and discontinuance, if implemented, will not significantly affect the quality of the human environment, the conservation of energy resources, or historically significant or archaeological sites. Supporting correspondence and certifications are attached.

Environmental Report - 49 C.F.R. § 1105.7(e)

1. Proposed Action and Alternatives. DART seeks to abandon its line of railroad between approximately milepost 281.65 near Plano, TX and approximately milepost 290.5 near Allen, TX (the "Subject Line"). DGNO seeks to discontinue its freight operating rights over the Subject Line. The total distance of the Subject Line is approximately 8.85 miles, all within

Collin County, Texas. No local or overhead freight rail traffic of any kind has moved over the Subject Line for at least the past two (2) years.

No alternatives to the proposed abandonment and discontinuance have been considered. The only alternative is retention of the Subject Line in its current, unused state, which would have no environmental impact.

A map showing the location of the Subject Line is attached hereto as Appendix A.

2. Transportation System. The Applicants do not anticipate that existing regional or local transportation systems or patterns will be adversely affected by the proposed abandonment and discontinuance of freight rail service. No freight rail traffic of any kind has moved over the Subject Line for at least the past two (2) years. The Applicants have requested comments from the Texas Department of Transportation. See correspondence attached hereto as Appendix B. In addition, the Applicants have requested comments from the North Central Texas Council of Governments that is responsible for developing and maintaining the Metropolitan Transportation System. See correspondence attached hereto as Appendix C. To date, no response has been forthcoming. Upon receipt of a response, the Applicants will forward the response to the Board.

3. Land Use.

(i) The Applicants do not foresee any inconsistency with regional and/or local land use plans but have contacted and requested comments from the Collin County Director of Engineering and the Collin County Judge, who are responsible for development/planning functions in Collin County. See correspondence attached hereto as Appendices D and E. To date, no response has been forthcoming. Upon receipt of a response, the Applicants will forward the response to the Board.

(ii) The proposed abandonment and discontinuance will have no adverse impact on prime agricultural land or farmland resources. The Natural Resources Conservation Service (formerly the U.S. Soil Conservation Service) of the United States Department of Agriculture has been advised of the abandonment. See correspondence attached hereto as Appendix F. To date, no response has been forthcoming. Upon receipt of a response, the Applicants will forward the response to the Board.

(iii) Not Applicable. The proposed project is not located within the Texas Coastal Management Program boundary. The Texas Coastal Management Division has been advised of the proposed abandonment. The Texas Coastal Management Division has stated that the project is outside the Texas Coastal Management Program (CMP) boundary and it is not subject to consistency review under the Texas CMP. See correspondence attached hereto as Appendix L and L-1.

(iv) Upon receipt of abandonment authority from the Board, DART plans to convert the Subject Line into a rail-trail pursuant to the National Trails System Act and in the future may use the underlying right-of-way as part of a public transit corridor.

4. Energy.

(i) The proposed abandonment and discontinuance will not have any effect on the transportation of energy resources. No freight rail traffic of any kind has moved over the Subject Line for at least the last two (2) years, and the Applicants foresee little possibility that new on-line freight traffic would develop in the future.

(ii) The movement and/or recovery of recyclable commodities will not be adversely affected by the proposed abandonment and discontinuance of service. No recyclable commodities have moved over the Subject Line for at least the past two (2) years, and the

Applicants foresee little possibility that any recyclable commodity traffic would develop in the future.

(iii) The proposed abandonment and discontinuance will not result in an increase or decrease in overall energy efficiency. No freight rail traffic of any kind has moved over the Subject Line for at least the past two (2) years.

(iv) Not applicable. The proposed abandonment and discontinuance of service over the Subject Line will not cause the diversion of more than 1,000 rail carloads per year or an average of 50 rail carloads per mile per year to motor carriers. No freight rail traffic of any kind has moved over the Subject Line for at least the past two (2) years.

5. Air.

(i) Not applicable. The proposed abandonment and discontinuance of service will not result in (A) a minimum increase in rail traffic of 100% or eight trains per day on any segment of rail line, (B) an increase in rail yard activity of at least 100%, or (C) an average increase in truck traffic of more than 10% of the average daily traffic or 50 vehicles per day on any road segment.

(ii) Not applicable. The proposed abandonment and discontinuance of the Subject Line will not result in traffic increases that exceed the thresholds specified in 49 C.F.R. § 1105.7(e)(5)(ii)(A),(B) or (C).

(iii) Not applicable. No ozone depleting materials have been transported over the Subject Line for at least the last two (2) years, and no such shipments will be diverted as a result of the proposed abandonment and discontinuance.

The proposed abandonment and discontinuance will not impact air quality standards, significantly increase ozone precursor emissions or require a general conformity analysis. The

Texas Natural Resource Conservation Commission and Natural Resources Division of the Office of the Texas Attorney General have been contacted and asked to comment. See correspondence attached hereto as Appendices G and H. To date, no response has been received. Upon receipt of a response, the Applicants will forward the response to the Board.

6. Noise. Not applicable. None of the thresholds identified in 49 C.F.R. § 1105.7(e) (5) (i) will be exceeded as a result of the proposed abandonment and discontinuance.

7. Safety.

(i) No freight rail operations have occurred on the Subject Line for at least the last two (2) years, and thus the proposed action will have no adverse effect upon public health or safety. During any salvage operations on the Subject Line precautions will be taken to maintain public safety.

(ii) Not applicable. No hazardous materials are expected to be transported as a result of the proposed abandonment and discontinuance of service.

(iii) The Applicants are not aware of any hazardous waste sites or sites where there have been hazardous material spills on the right-of-way of the Subject Line. The U.S. Environmental Protection Agency and the Texas Environmental Protection Division have been advised about the proposed abandonment and discontinuance. See correspondence attached hereto as Appendices I and J. The U.S. Environmental Protection Agency stated that it has no comments. See correspondence attached hereto as Appendix I-1. The Applicants have also advised and requested comments from the Natural Resources Division of the Office of the Texas Attorney General. See correspondence attached hereto as Appendix H. To date, no response has been forthcoming. Upon receipt of a response, the Applicants will forward the response to the Board.

8. Biological Resources.

(i) No critical habitat or other fish or wildlife resources will be destroyed, altered or affected as a result of the proposed abandonment and discontinuance. The Texas Parks and Wildlife Department and the United States Fish and Wildlife Service have been advised of the proposed abandonment. The Texas Parks and Wildlife Department advised that review of the project activity as proposed indicates minimal impacts to fish and wildlife resources. The United States Fish and Wildlife Service advised that based on the available information, the described action is not likely to adversely affect federally threatened or endangered species. See correspondence attached hereto as Appendices K, K-1, O and O-1.

(ii) The Subject Line does not pass through any wildlife sanctuary or refuges or any national parks or forests. Accordingly, none will be adversely affected. The Subject Line passes through the western edge of Allen Station Park. The Applicants have contacted and requested comments from the Texas Parks and Wildlife Department, which indicated that the proposed abandonment and discontinuance would have minimal impact on fish and wildlife resources. See correspondence attached hereto as Appendices K and K-1. The U.S. Fish and Wildlife Service also anticipates no impact on federally threatened or endangered species. See correspondence attached hereto as Appendices O and O-1.

9. Water. Any water quality effects from the proposed abandonment and discontinuance should be minimal. No bridges over bodies of water will be removed as part of the proposed action. DART does not anticipate discharge of any materials into navigable waters that would require permits under Section 402 and 404 of the Clean Water Act. The proposed action will not have a significant effect on water quality and will be consistent with applicable Federal, State and local water quality standards. Comments have been requested from the United

States Environmental Protection Agency and the Natural Resources Division of the Office of the Texas Attorney General. The United State Environmental Protection Agency had no comment. See correspondence attached hereto as Appendices H and I. The Applicants have also contacted the United States Army Corps of Engineers. The United States Army Corps of Engineers has advised that the proposed action does not require Department of the Army authorization. See correspondence attached hereto as Appendices N and N-1.

The Applicants are unaware of any designated wetlands that would be impacted by the proposed abandonment and discontinuance. DART will not remove or otherwise alter the contour of the roadbed underlying the Subject Line as part of the proposed action, and thus there should be no impact on existing floodplain management. The Texas Natural Resource Conservation Commission has been contacted for comments and has not responded. See correspondence attached hereto as Appendix G.

* * * * *

In addition to the agencies referenced above, the Applicants requested comments from the State of Texas Single Point of Contact in the Office of the Governor. See correspondence attached hereto as Appendix M. To date, no response has been forthcoming.

The Applicants also requested comments from the National Geodetic Survey ("NGS") of the National Oceanic and Atmospheric Administration. The NGS of the National Oceanic and Atmospheric Administration advised that three geodetic station markers have been identified that may be affected by the proposed abandonment. See correspondence attached hereto as Appendix P and P-1. DART does not intend to disturb any markers as part of the proposed abandonment and will provide appropriate notification to NGS should any relocation become necessary.

Historic Report - 49 C.F.R. § 1105.8(d)

1. Map. A map showing the general location of the Subject Line is attached hereto as Appendix A. A U.S.G.S. topographic map, showing the approximate locations and dimensions of railroad structures that are 50 years old or older and are part of the proposed action, is attached hereto as Appendix A-1.

2. Description of Line. The line to be abandoned extends between approximately milepost 281.65 near Plano, TX and approximately milepost 290.5 near Allen, TX. The total distance of the Subject Line is approximately 8.85 miles, all within Collin County, Texas. The right-of-way of the Subject Line is approximately 100 feet in width. The surrounding land is mainly urban and light industrial, and the topography is generally flat.

3. Photographs. Digital color photographs of railroad structures on or adjacent to the Subject Line that are 50 years old or older, and of the immediately surrounding area, have been submitted to the Texas Historical Commission by letter dated July 20, 2005 from Steve Salin of DART to Lawrence Oaks of the Texas Historical Commission. Color copies of those photographs will be provided to the Board's Section of Environmental Analysis.

4. Information on Structures. DART has determined that there are two bridges on the Subject Line and three other railroad structures within or near the Subject Line right-of-way that are fifty (50) years old or older. An architectural historian retained by DART has made a preliminary determination that the two bridges and at least two of the other railroad structures on or near the Subject Line (the stone dam and stone water tower foundation) are eligible for inclusion in the National Registry of Historic Places.

DART has asked the Texas Historical Commission ("THC") to concur in that eligibility determination, and intends to continue to work with the THC and other interested parties in order to satisfy any obligations that DART may have as a result of this proposed abandonment under

Section 106 of the National Historic Preservation Act. By letter dated August 19, 2005, the Texas Historical Commission concurred in that eligibility determination. See correspondence attached hereto as Appendix Q-1. The relevant characteristics of these historic structures are described more fully below.

Bridges

<u>Name</u>	<u>Location</u>	<u>Date of Construction</u>	<u>Type</u>
Rowlett Creek Bridge	approx. milepost 286, north of Legacy Drive	circa 1874, with steel truss addition in the 1940's	60' steel truss and steel deck supported by stone and concrete piers
Cottonwood Creek Bridge	approx. milepost 290, north of Exchange Parkway near Allen Station Park	circa 1874, with steel catwalk addition in the 1930's	50' steel panel catwalk with wooden trestle approach

Other Railroad Structures

<u>Name</u>	<u>Location</u>	<u>Date of Construction</u>	<u>Material</u>
Water Tower Foundation	approx. milepost 290, in Allen Station Park	1874	Stone
Pump House Foundation	approx. milepost 290, in Allen Station Park	1874	Stone
Dam	approx. milepost 290, in Allen Station Park (but outside Subject Line right-of-way)	1874	Stone

5. History of Operations.

The Subject Line was constructed in approximately 1874 by the Houston & Texas Central Railroad ("H&TC") as part of a route between Dallas and Denison and eventually came under control of the Southern Pacific Transportation Company ("SPTC"). DART acquired the portion of the Subject Line between approximately milepost 281.5 near Plano Parkway and approximately milepost 285.1 near Spring Creek Parkway from the SPTC in 1988 for future use as a public transit corridor. Dallas Area Rapid Transit – Acquisition and Operation Exemption – Rail Lines of Southern Pacific Transportation Company, Finance Docket No. 31267 (ICC served May 20, 1988)(authorizing, inter alia, DART's acquisition of the Ennis Subdivision North Mainline from SPTC between approximately milepost 273.0 at Gifford Junction and approximately milepost 285.1 near Spring Creek Parkway).

As part of that transaction, SPTC retained local and overhead trackage rights for a period of not more than five (5) years over the portion of the former Ennis Subdivision North between approximately milepost 273.0 at Gifford Junction and approximately milepost 282.10 at the crossing of the SPTC line and a perpendicular St. Louis Southwestern Railway Company ("SSW") line in Plano. Southern Pacific Transportation Company – Trackage Rights Exemption – Dallas Area Rapid Transit, Finance Docket No. 31270 (ICC served May 20, 1988).¹ In addition, SSW acquired local trackage rights for a period of not more than five (5) years over the same portion of the former Ennis Subdivision North between approximately milepost 273.0 at Gifford Junction and approximately milepost 282.10 at the SPTC-SSW crossing in Plano. St. Louis Southwestern Railway Company – Trackage Rights Exemption – Dallas Area Rapid Transit, Finance Docket No. 31278 (ICC served May 20, 1988).

¹ In addition, SPTC retained freight operating rights over the portion of the Subject Line between approximately milepost 282.1 and approximately milepost 285.1.

In 1997, DART, SPTC and SSW jointly obtained an exemption from STB authority to abandon and discontinue freight service over the portion of the former Ennis Subdivision North between approximately milepost 273.0 at Gifford Junction and approximately milepost 281.65 at Plano Parkway in Plano. Dallas Area Rapid Transit – Abandonment Exemption – In Dallas and Collin Counties, TX, STB Docket No. AB-439 (Sub-No. 2X), et. al (STB served May 15, 1997). At that time, DART did not seek authority to abandon and SPTC did not seek authority to discontinue its freight operating rights on the remaining portion of the former Ennis Subdivision North owned by DART between approximately milepost 281.65 and approximately milepost 285.1. Also at that time, Union Pacific Railroad Company (“UP”), as successor in interest to SPTC, continued to own the portion of the Subject Line between approximately milepost 285.1 near Spring Creek Parkway in Plano and approximately milepost 290.5 near Stacy Road in Allen.

In 1999, DGNO acquired a leasehold interest on the portion of the Subject Line between approximately milepost 285.1 and approximately milepost 290.5 from UP. In addition, DGNO acquired UP’s trackage rights over the portion of the Subject Line then owned by DART between approximately milepost 281.65 and approximately milepost 285.1. Dallas Garland & Northeastern Railroad, Inc. – Lease Exemption – Union Pacific Railroad Company, Finance Docket No. 33686 (STB served February 5, 1999).²

In 2001, DART acquired the portion of the Subject Line between approximately milepost 285.1 near Spring Creek Parkway in Plano and approximately milepost 290.5 near Stacy Road in Allen from UP subject to DGNO’s leasehold interest. Dallas Area Rapid Transit –Acquisition

² The DNGO notice of exemption and subsequent STB federal register notice in Finance Docket No. 33686 refer to these trackage rights as extending between approximately milepost 281.1 and approximately milepost 285.1. DART believes that the correct southern endpoint of these trackage rights is approximately milepost 281.65 (rather than 281.1), because UP’s predecessor SPTC had already obtained STB authority to discontinue its trackage rights between milepost 281.1 and milepost 281.65 in STB Docket No. AB-439 (Sub-No. 2X) et. al.

Exemption – Lines of Union Pacific Railroad Company, Finance Docket No. 34063 (STB served July 20, 2001).

As a result of the foregoing transactions, DART currently owns the Subject Line, DGNO has trackage rights over the portion of the Subject Line between approximately milepost 281.65 near Plano Parkway and approximately milepost 285.1 near Spring Creek Parkway, and DNGO has a lease for freight operations on the portion of the Subject Line between approximately milepost 285.1 near Spring Creek Parkway and approximately milepost 290.5 near Stacy Road in Allen. DGNO no longer provides freight rail service on the Subject Line. DART does not at this point use the Subject Line as part of its rail transit system, but has plans to do so in the future.

No freight rail traffic of any kind has moved on the Subject Line for at least the last two (2) years. Therefore, no operational changes are anticipated as a result of the proposed abandonment and discontinuance.

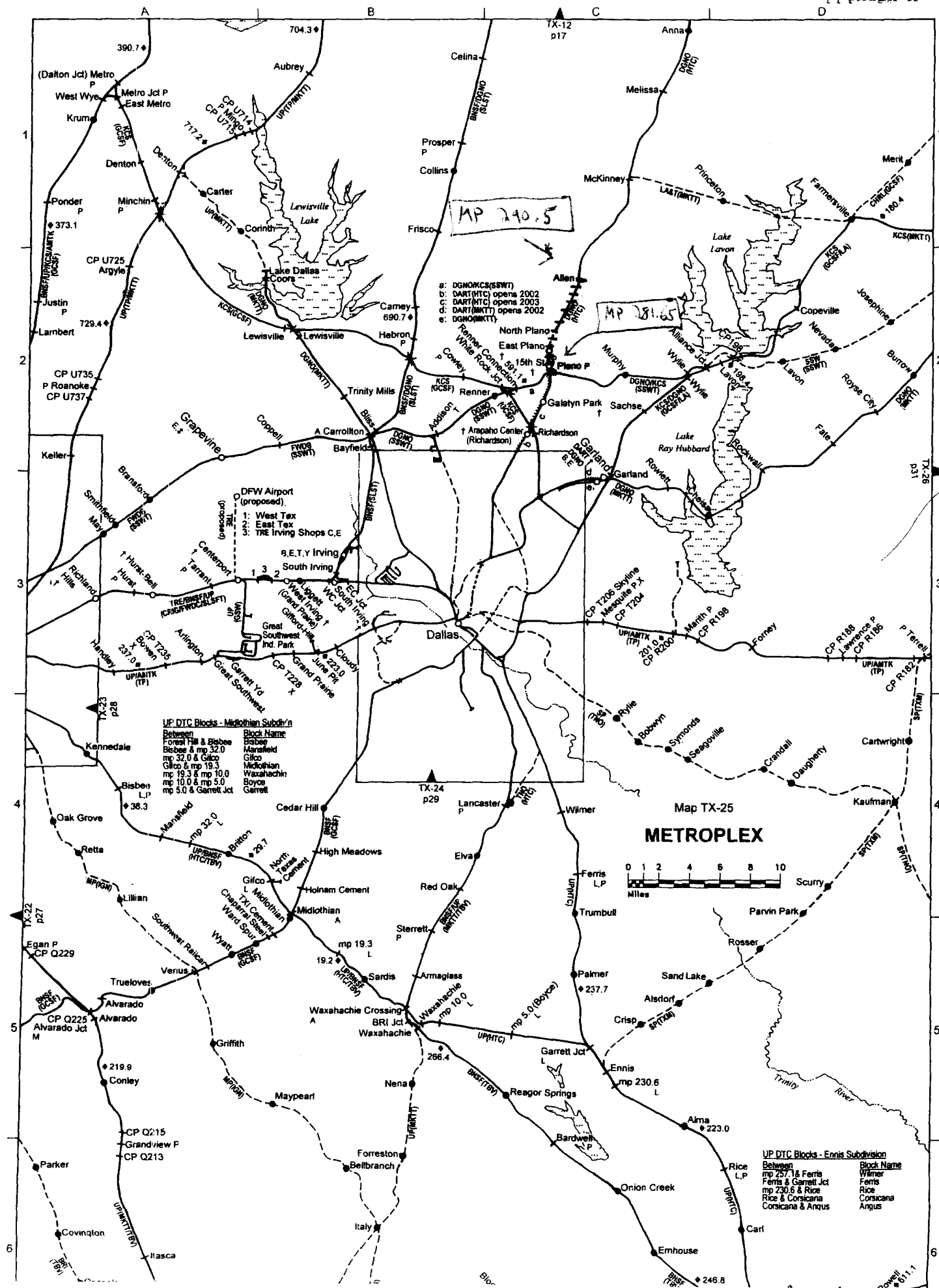
6. Engineering Documents. DART does not believe it has engineering drawings in its possession that may be useful in documenting the historic structures on the Subject Line.

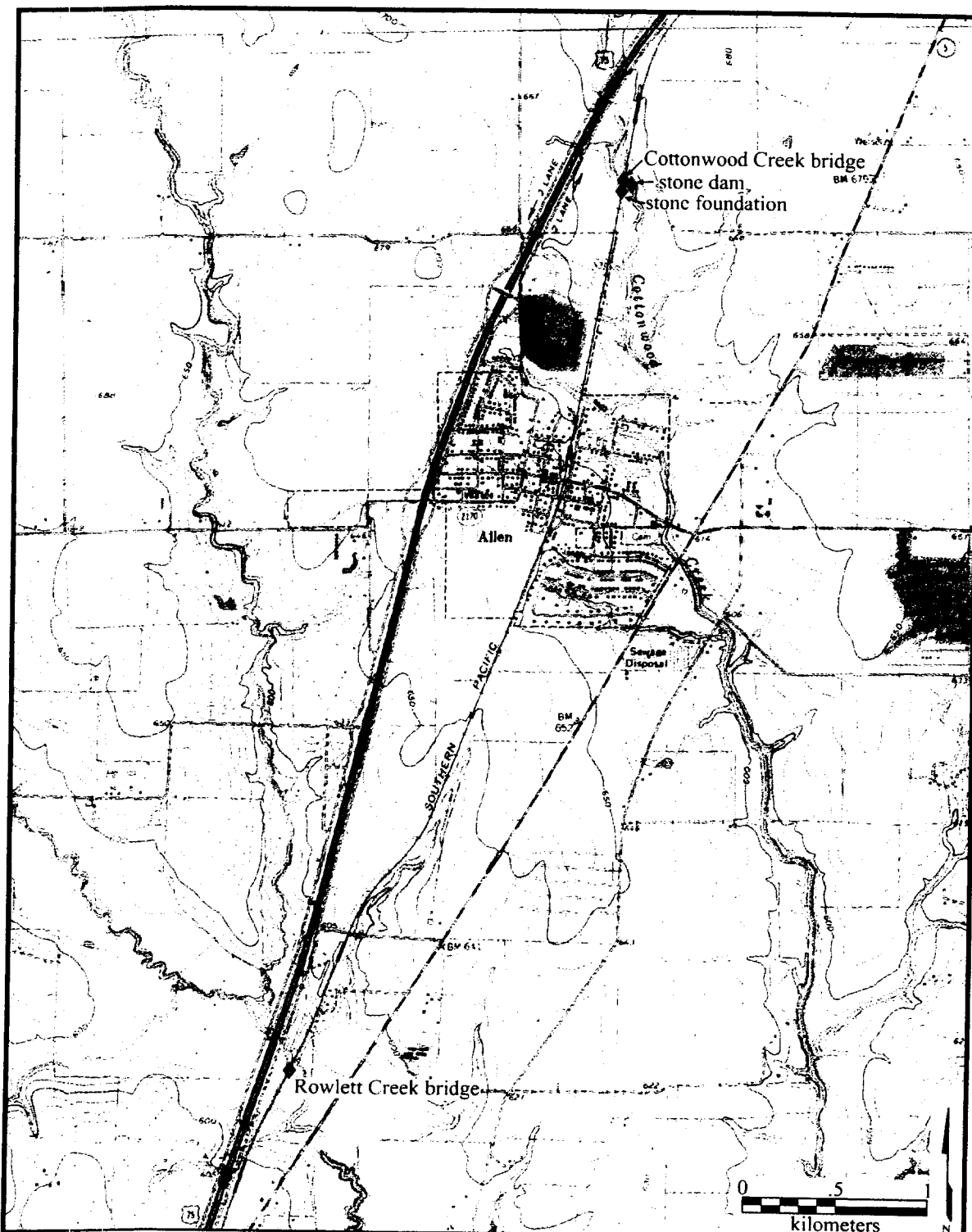
7. Historic Criteria. Aside from the historic structures described in Section 4 above, the Applicants are not aware of any other structures on the Subject Line that are of unique character or historical significance or meet the criteria for listing in the National Register of Historic Places. The Applicants also believe that no culturally significant locations, archaeological sites or unique land forms will be affected by the proposed abandonment. The Applicants have contacted and requested comments from the Texas Historical Commission in its capacity as SHPO, which has concurred in DART's eligibility determination regarding the historic structures described in Section 4. See correspondence attached hereto as Appendix Q and Q-1.

8. Ground Disturbance. Based on readily available information in its possession, DART believes that subsurface ground disturbance may have occurred when the Subject Line was constructed. The largely urban and light industrial nature of the area surrounding the Subject Line could adversely affect the archaeological recovery of resources. Access to the Subject Line is good throughout its length.

Certifications - 49 C.F.R. § 1105.7(c)

A certification in accordance with 49 C.F.R. § 1105.7(b) that the foregoing Report has been served on each of the agencies designated in Section 1105.7(b) and that the Applicants have consulted with all appropriate agencies in preparing this Report is attached hereto as Appendix R. A certification that, in accordance with 49 C.F.R. § 1105.12, the Applicants have published notice of the proposed abandonment in a newspaper of general circulation in each county through which the Subject Line passes is attached hereto as Appendix S.





Appendix A Locations of historic-age structures along the former Southern Pacific Railroad
Exhibit I alignment, Allen, Collin County, Texas.

Source: USGS topographic quadrangle, Plano sheet

Kirkpatrick & Lockhart LLP

Terria McGee
Legal Assistant
202.778.9438
Fax: 202.778.9100
tmcgee@kl.com

Appendix B

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Suite 200
Washington, DC 20036-1221
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July 25, 2003

Mr. Charles W. Heald
Executive Director
Texas Department of Transportation
125 East 11th Street
Austin, TX 78701-2483

**Re: Docket No. AB-439 (Sub-No. 6X)
Dallas Area Rapid Transit – Abandonment Exemption –
In Collin County, Texas**

**Docket No. AB-585 (Sub-No. 1X)
Dallas, Garland & Northeastern Railroad, Inc.
Discontinuance Exemption – In Collin County, Texas**

Dear Mr. Heald:

Dallas Area Rapid Transit ("DART") expects shortly to file with the Surface Transportation Board a notice of exemption from the provisions of 49 U.S.C. § 10903 to abandon its line of railroad between approximately milepost 281.65 in Plano and approximately milepost 290.5 in Allen ("the Subject Line"). The total distance is approximately 8.65 miles, all within Collin County, Texas. Simultaneously, Dallas, Garland & Northeastern Railroad, Inc. ("DGNO") will file for discontinuance of service on the Subject Line. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50. A map showing the location of the Subject Line is attached for your reference.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment so that you may assist us in identifying any potential effects it may have on the following:

1. Regional or local land use plans;
2. Regional or local transportation systems and patterns, including alternative transportation modes;
3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Existing or potential safety hazards; or
10. Coastal Zone Management Areas.

Kirkpatrick & Lockhart LLP

Mr. Charles W. Heald

July 25, 2003

Page 2

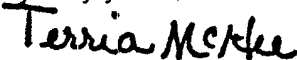
Please also advise us if permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344) are required for the proposed abandonment.

No rail freight operations have occurred on the Subject Line during the last two (2) years. Accordingly, we foresee no adverse environmental effects given the limited nature of the proposed abandonment. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-439 (Sub-No. 6X) and be sent to the undersigned, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
Room 500
1925 K Street, N.W.
Washington, D.C. 20423-0001

In accordance with the Board's regulations, a copy of the Environmental Report prepared in connection with this abandonment will be forwarded to you at least twenty days before DART's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 202-778-9456.

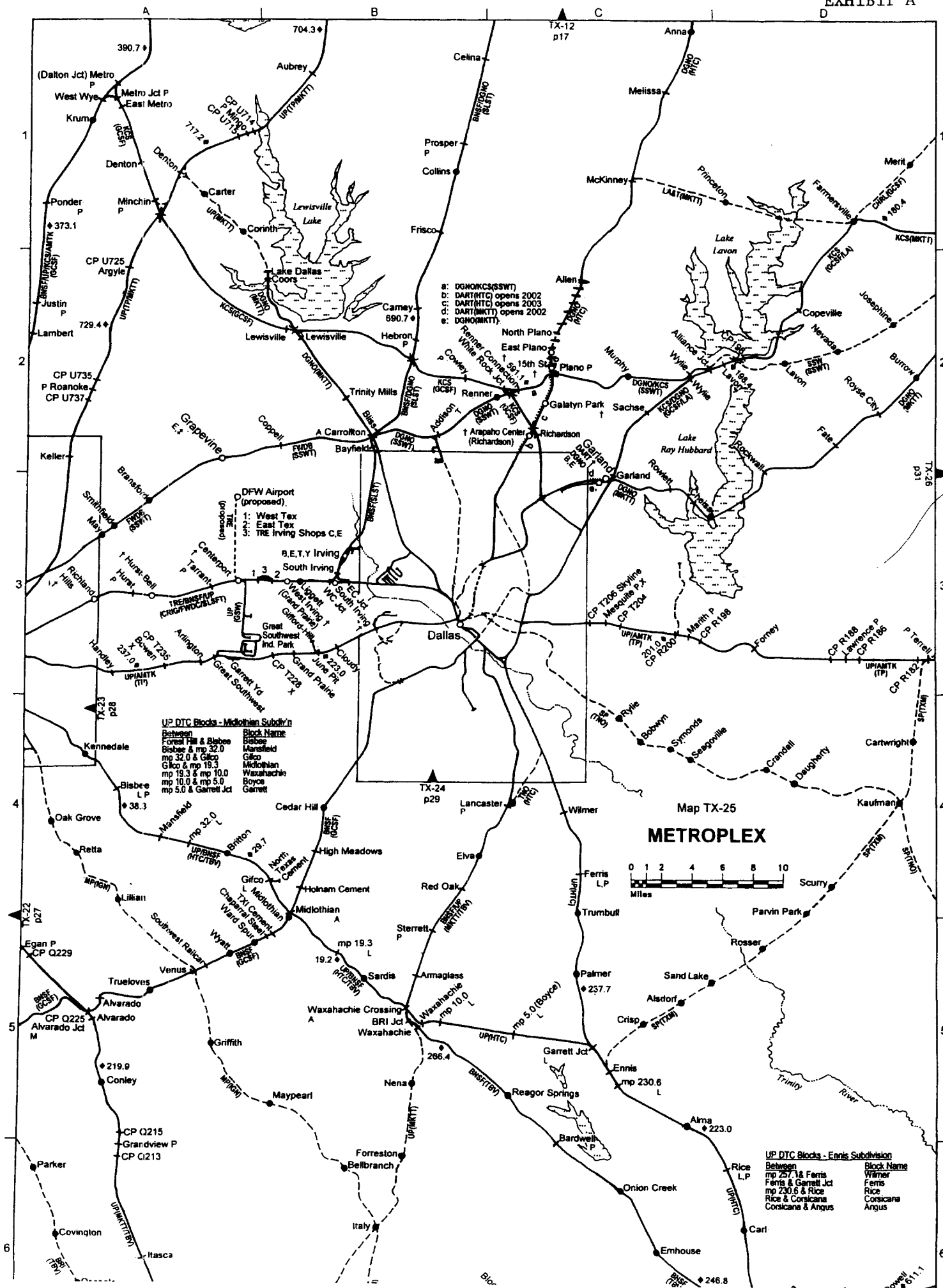
Very truly yours,



Terria McGee, Legal Assistant
Kirkpatrick & Lockhart LLP

Attachment

cc: Sandy Franger



Kirkpatrick & Lockhart LLP

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Legal Assistant
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Fax: 202.778.9100
tmcgee@kl.com

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July 25, 2003

Ms. Julie K. P. Dunbar
Principal Transportation Engineer
North Central Texas Council of Governments
616 Six Flags Drive
Centerpoint Two
P.O. Box 5888
Arlington, TX 76005-5888

**Re: Docket No. AB-439 (Sub-No. 6X)
Dallas Area Rapid Transit – Abandonment Exemption –
In Collin County, Texas**

**Docket No. AB-585 (Sub-No. 1X)
Dallas, Garland & Northeastern Railroad, Inc.
Discontinuance Exemption – In Collin County, Texas**

Dear Ms. Dunbar:

Dallas Area Rapid Transit ("DART") expects shortly to file with the Surface Transportation Board a notice of exemption from the provisions of 49 U.S.C. § 10903 to abandon its line of railroad between approximately milepost 281.65 in Plano and approximately milepost 290.5 in Allen ("the Subject Line"). The total distance is approximately 8.65 miles, all within Collin County, Texas. Simultaneously, Dallas, Garland & Northeastern Railroad, Inc. ("DGNO") will file for discontinuance of service on the Subject Line. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50. A map showing the location of the Subject Line is attached for your reference.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment so that you may assist us in identifying any potential effects it may have on the following:

1. Regional or local land use plans;
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3. Energy consumption and efficiency;
4. Air emissions and noise levels;
5. Bodies of water and overall water quality under applicable federal, state or local standards;
6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Existing or potential safety hazards; or
10. Coastal Zone Management Areas.

Kirkpatrick & Lockhart LLP

Ms. Julie K. P. Dunbar

July 25, 2003

Page 2

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Please also advise us if permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344) are required for the proposed abandonment.

No rail freight operations have occurred on the Subject Line during the last two (2) years. Accordingly, we foresee no adverse environmental effects given the limited nature of the proposed abandonment. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-439 (Sub-No. 6X) and be sent to the undersigned, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
Room 500
1925 K Street, N.W.
Washington, D.C. 20423-0001

In accordance with the Board's regulations, a copy of the Environmental Report prepared in connection with this abandonment will be forwarded to you at least twenty days before DART's notice of exemption is filed at the Board. If you have any questions or need additional information in the meantime, please feel free to contact me at 202-778-9456.

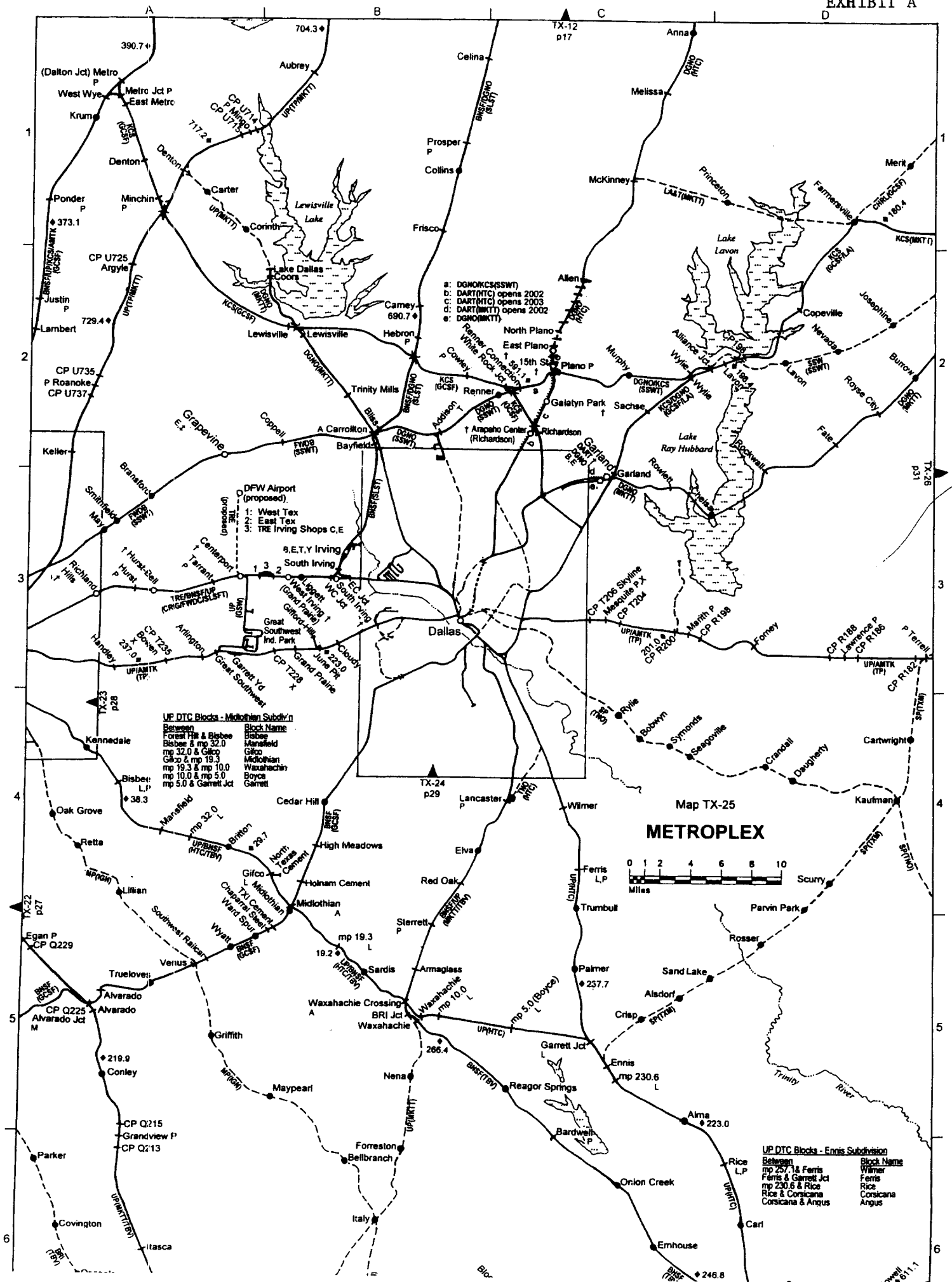
Very truly yours,

Terria McGee

Terria McGee, Legal Assistant
Kirkpatrick & Lockhart LLP

Attachment

cc: Sandy Franger



Kirkpatrick & Lockhart LLP

Terria McGee
Legal Assistant
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Fax: 202.778.9100
tmcgee@kl.com

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July 25, 2003

Ruben E. Delgado
Director of Engineering
Collin County
825 McDonald Street, Suite 160
McKinney, TX 75069

**Re: Docket No. AB-439 (Sub-No. 6X)
Dallas Area Rapid Transit – Abandonment Exemption –
In Collin County, Texas**

**Docket No. AB-585 (Sub-No. 1X)
Dallas, Garland & Northeastern Railroad, Inc.
Discontinuance Exemption – In Collin County, Texas**

Dear Mr. Delgado:

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In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment so that you may assist us in identifying any potential effects it may have on the following:

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8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Existing or potential safety hazards; or
10. Coastal Zone Management Areas.

Kirkpatrick & Lockhart LLP

Ruben E. Delgado
July 25, 2003
Page 2

Please also advise us if permits under Section 402 or 404 of the Clean Water Act (33 U.S.C. §§ 1342, 1344) are required for the proposed abandonment.

No rail freight operations have occurred on the Subject Line during the last two (2) years. Accordingly, we foresee no adverse environmental effects given the limited nature of the proposed abandonment. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-439 (Sub-No. 6X) and be sent to the undersigned, with a copy to:

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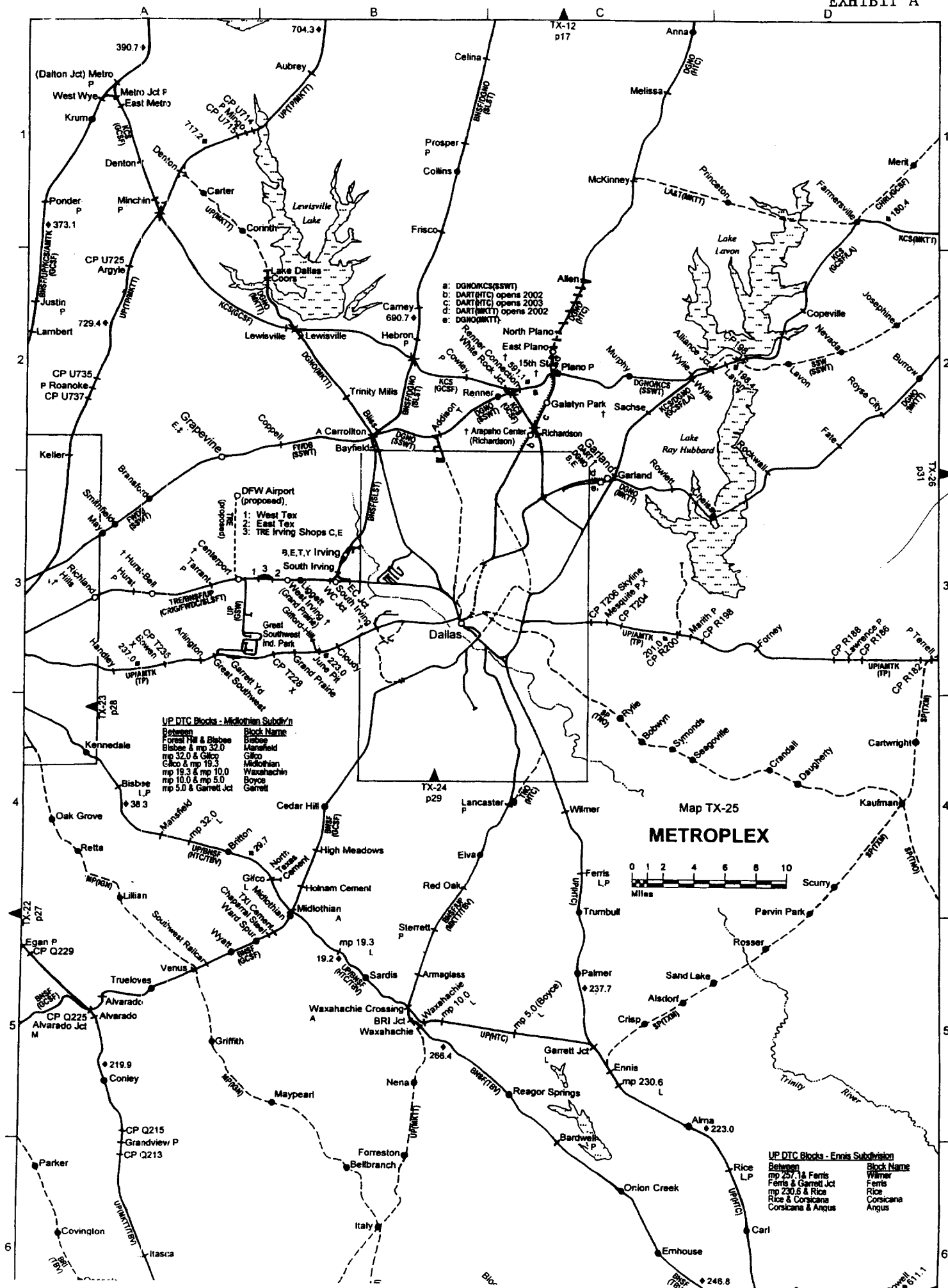
Very truly yours,



Terria McGee, Legal Assistant
Kirkpatrick & Lockhart LLP

Attachment

cc: Sandy Franger



Kirkpatrick & Lockhart LLP

Appendix E

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Terria McGee
Legal Assistant
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Fax: 202.778.9100
tmcgee@kl.com

July 25, 2003

Honorable Ron Harris
Collin County Judge
Collin County Commissioners' Court
Collin County Government Center
Location Annex
210 S. McDonald Street
McKinney, TX 75069

**Re: Docket No. AB-439 (Sub-No. 6X)
Dallas Area Rapid Transit – Abandonment Exemption –
In Collin County, Texas**

**Docket No. AB-585 (Sub-No. 1X)
Dallas, Garland & Northeastern Railroad, Inc.
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Kirkpatrick & Lockhart LLP

Honorable Ron Harris
July 25, 2003
Page 2

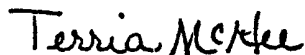
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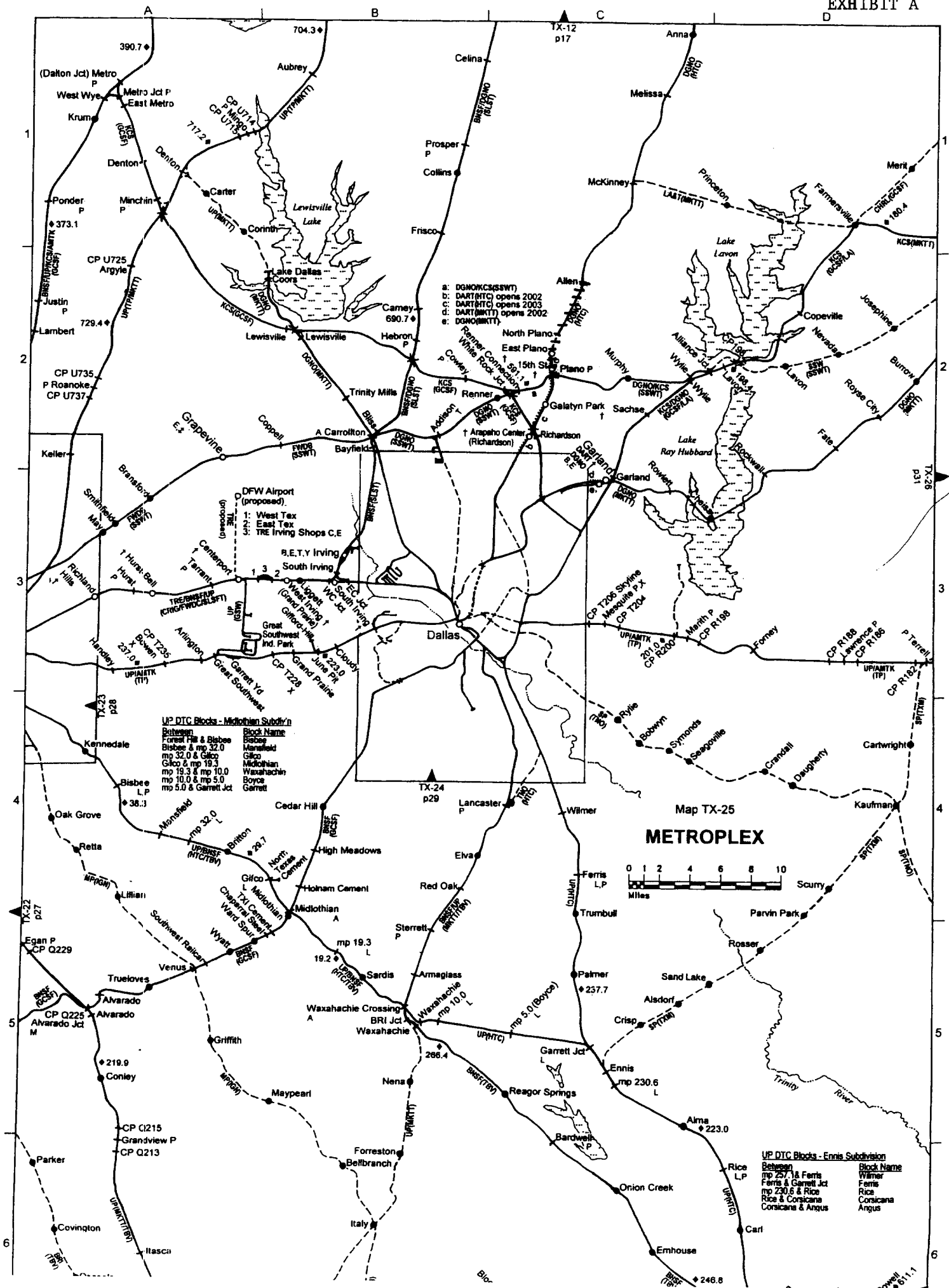
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Terria McGee, Legal Assistant
Kirkpatrick & Lockhart LLP

Attachment

cc: Sandy Franger



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July 25, 2003

Mr. Harry W. Oneth
State Conservationist
USDA Natural Resources Conservation Service
101 South Main Street
Temple, TX 76501-7682

**Re: Docket No. AB-439 (Sub-No. 6X)
Dallas Area Rapid Transit – Abandonment Exemption –
In Collin County, Texas**

**Docket No. AB-585 (Sub-No. 1X)
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Kirkpatrick & Lockhart LLP

Mr. Harry W. Oneth

July 25, 2003

Page 2

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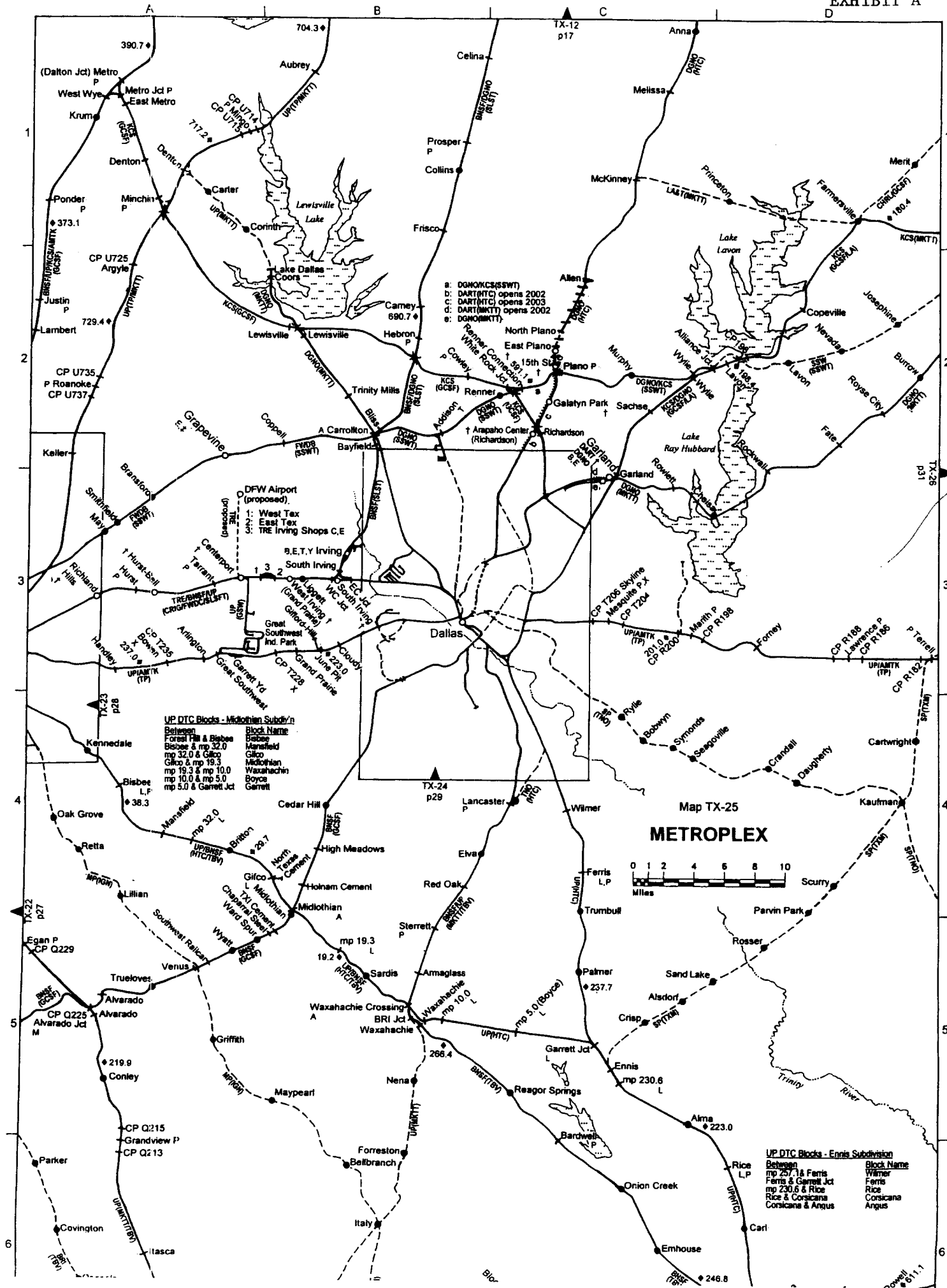
Very truly yours,

Terria McGee

Terria McGee, Legal Assistant
Kirkpatrick & Lockhart LLP

Attachment

cc: Sandy Franger



Kirkpatrick & Lockhart LLP

Terria McGee
Legal Assistant
202.778.9438
Fax: 202.778.9100
tmcgee@kl.com

1800 Massachusetts Avenue, NW
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Washington, DC 20036-1221
202.778.9000
www.kl.com

July 25, 2003

Ms. Sidney Wheeler
Program Administrator
Intergovernmental Relations Division
Texas Natural Resource Conservation Commission
P.O. Box 13087
Austin, TX 78711-3087

**Re: Docket No. AB-439 (Sub-No. 6X)
Dallas Area Rapid Transit – Abandonment Exemption –
In Collin County, Texas**

**Docket No. AB-585 (Sub-No. 1X)
Dallas, Garland & Northeastern Railroad, Inc.
Discontinuance Exemption – In Collin County, Texas**

Dear Ms. Wheeler:

Dallas Area Rapid Transit ("DART") expects shortly to file with the Surface Transportation Board a notice of exemption from the provisions of 49 U.S.C. § 10903 to abandon its line of railroad between approximately milepost 281.65 in Plano and approximately milepost 290.5 in Allen ("the Subject Line"). The total distance is approximately 8.65 miles, all within Collin County, Texas. Simultaneously, Dallas, Garland & Northeastern Railroad, Inc. ("DGNO") will file for discontinuance of service on the Subject Line. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50. A map showing the location of the Subject Line is attached for your reference.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment so that you may assist us in identifying any potential effects it may have on the following:

1. Regional or local land use plans;
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9. Existing or potential safety hazards; or
10. Coastal Zone Management Areas.

Kirkpatrick & Lockhart LLP

Ms. Sidney Wheeler

July 25, 2003

Page 2

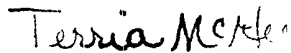
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No rail freight operations have occurred on the Subject Line during the last two (2) years. Accordingly, we foresee no adverse environmental effects given the limited nature of the proposed abandonment. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-439 (Sub-No. 6X) and be sent to the undersigned, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
Room 500
1925 K Street, N.W.
Washington, D.C. 20423-0001

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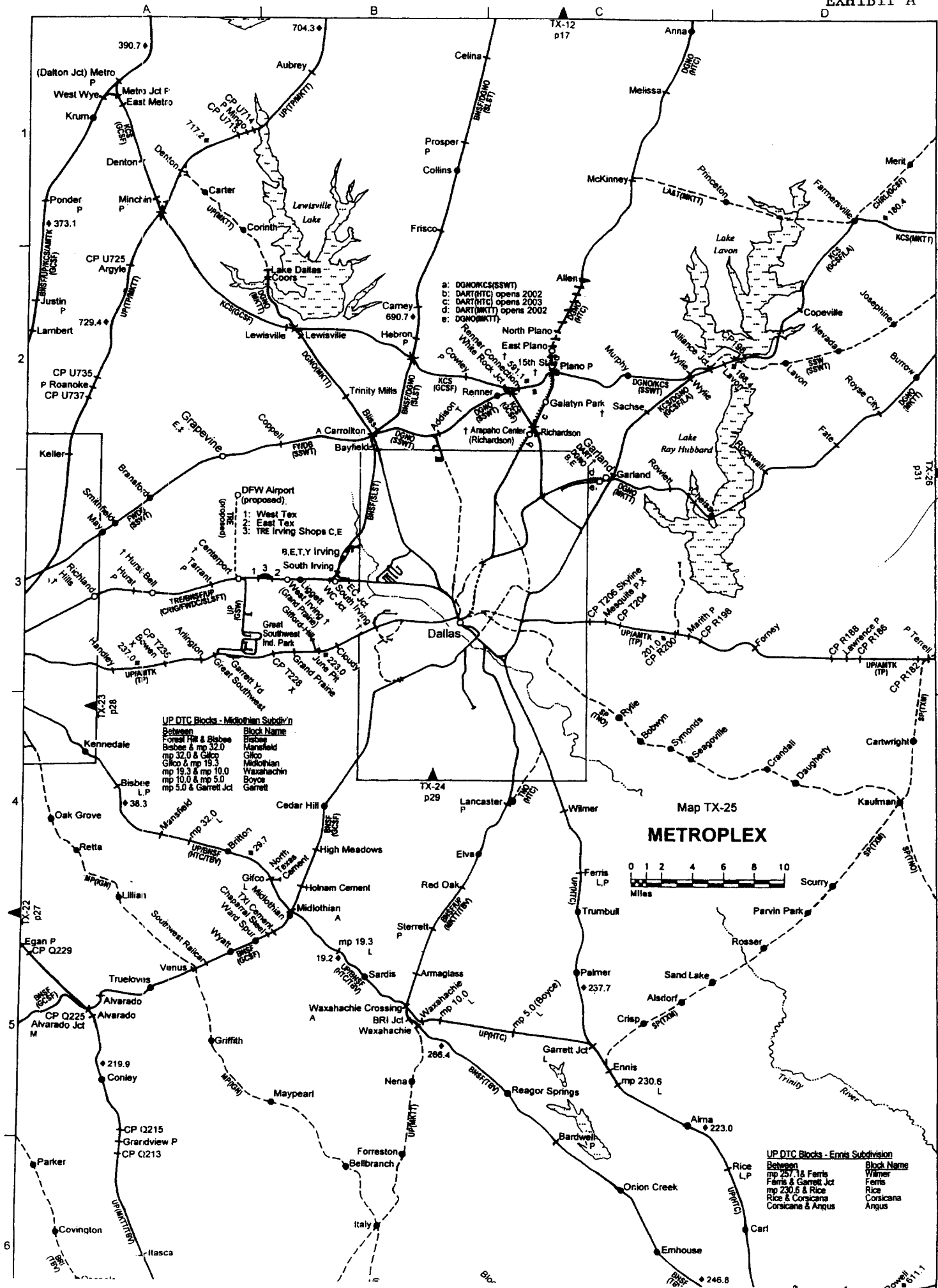
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Terria McGee, Legal Assistant
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Kirkpatrick & Lockhart LLP

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Legal Assistant
202.778.9438
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tmcgee@kl.com

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July 25, 2003

Mr. Douglas Fraser
Natural Resources Division
Office of the Attorney General
P.O. Box 12548
Austin, TX 78711-2548

**Re: Docket No. AB-439 (Sub-No. 6X)
Dallas Area Rapid Transit – Abandonment Exemption –
In Collin County, Texas**

**Docket No. AB-585 (Sub-No. 1X)
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Discontinuance Exemption – In Collin County, Texas**

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Kirkpatrick & Lockhart LLP

Mr. Douglas Fraser

July 25, 2003

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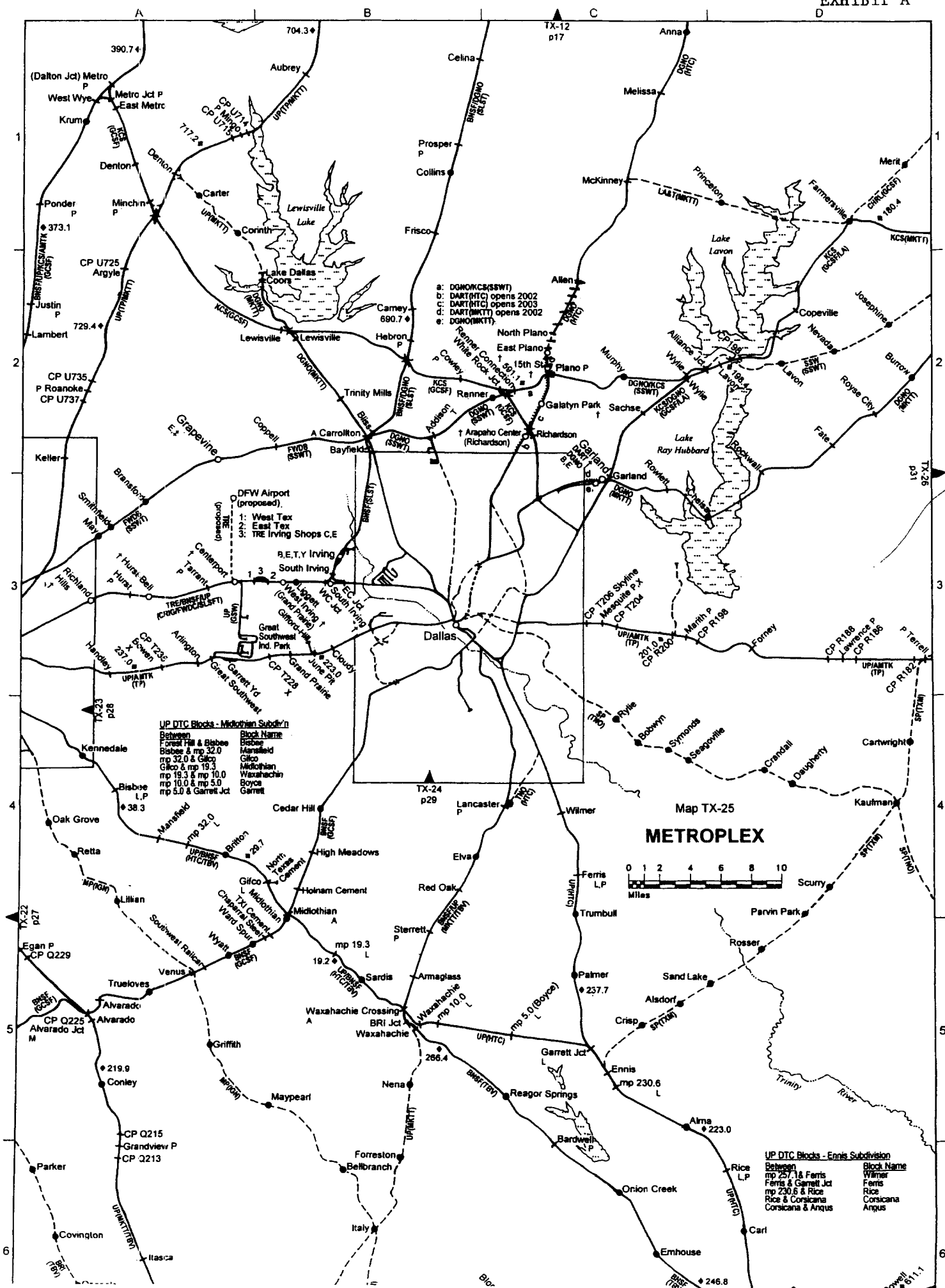
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Terria McGee, Legal Assistant
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Attachment

cc: Sandy Franger



Appendix I

Kirkpatrick & Lockhart LLP

Terria McGee
Legal Assistant
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July 25, 2003

Mr. Michael P. Jansky
Regional Environmental Review Coordinator
U.S. Environmental Protection Agency, Region 6
First Interstate Bank Tower
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

**Re: Docket No. AB-439 (Sub-No. 6X)
Dallas Area Rapid Transit – Abandonment Exemption –
In Collin County, Texas**

**Docket No. AB-585 (Sub-No. 1X)
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Mr. Michael P. Jansky

July 25, 2003

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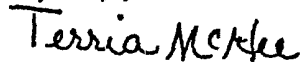
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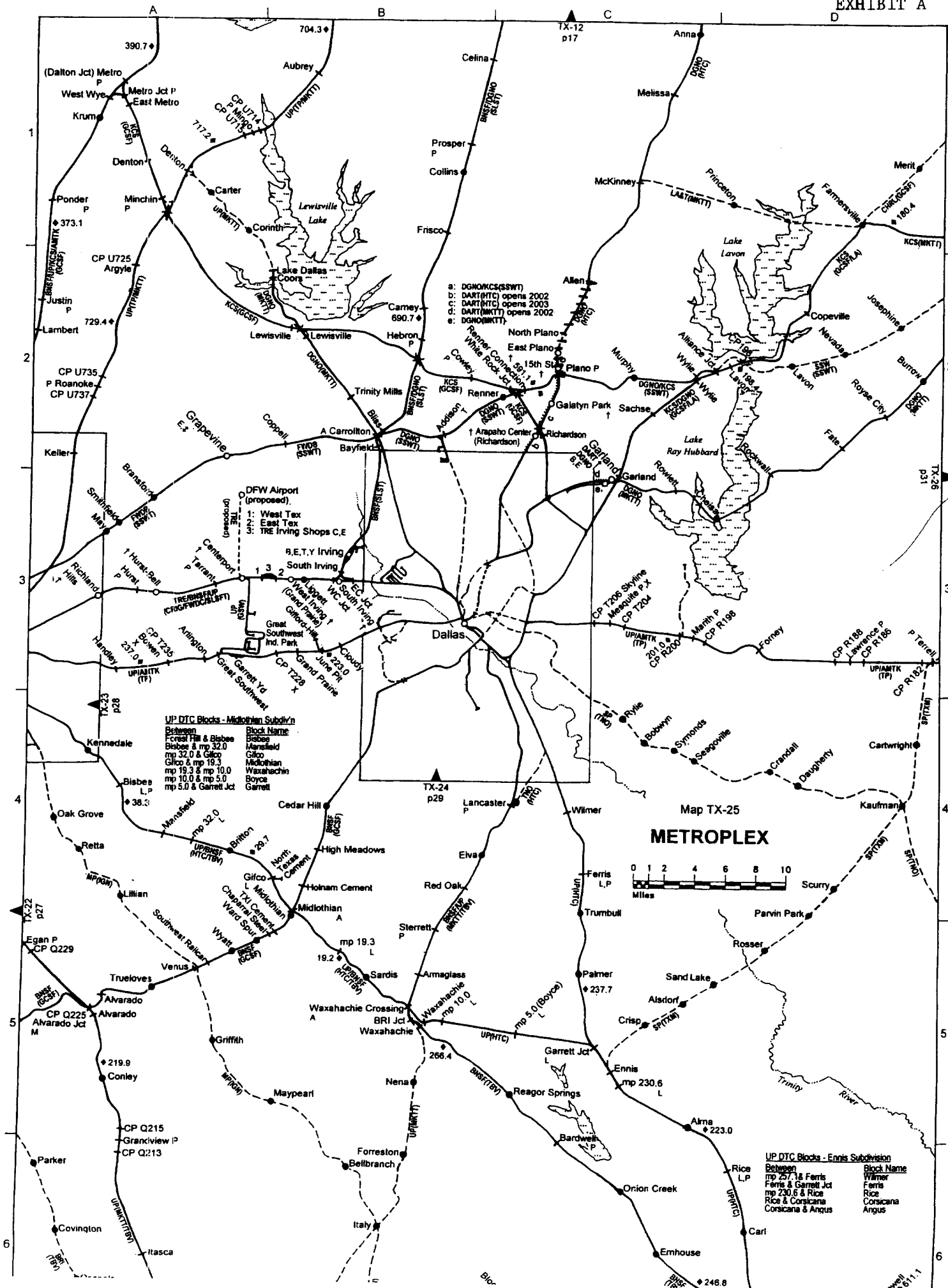
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Terria McGee, Legal Assistant
Kirkpatrick & Lockhart LLP

Attachment

cc: Sandy Franger



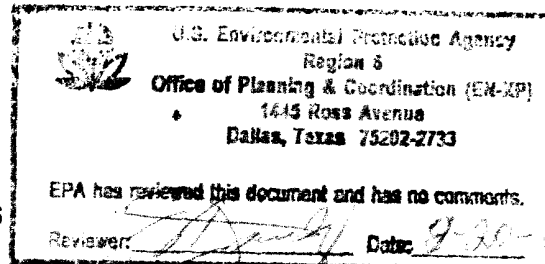
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July 25, 2003

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Mr. Michael P. Jansky
July 25, 2003
Page 2

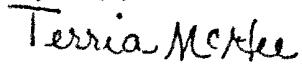
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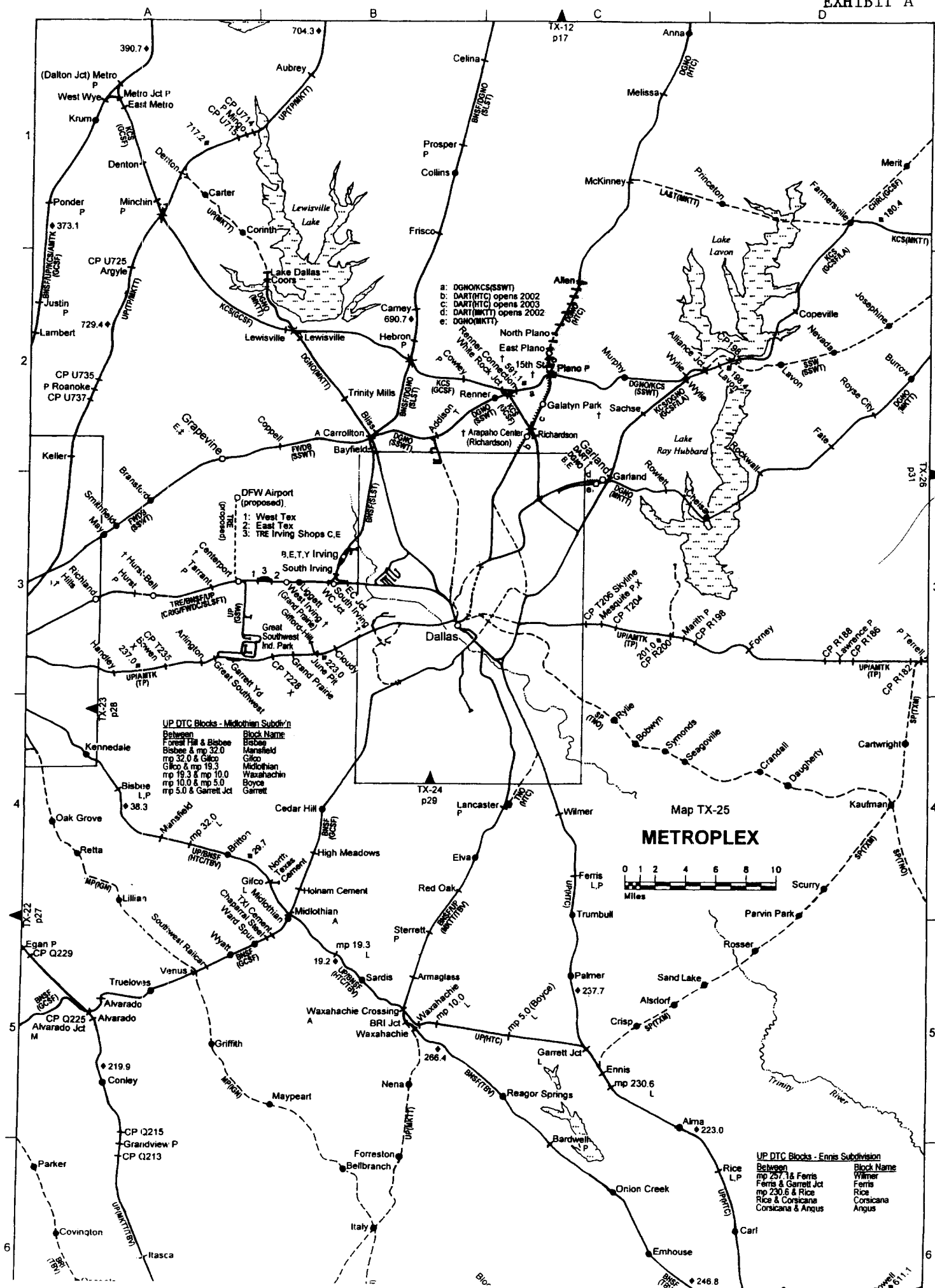
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Terria McGee, Legal Assistant
Kirkpatrick & Lockhart LLP

Attachment

cc: Sandy Franger



Kirkpatrick & Lockhart LLP

Terria McGee
Legal Assistant
202.778.9438
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Appendix J

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Washington, DC 20036-1221
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www.kl.com

July 25, 2003

Texas Environmental Protection Division
P.O. Box 12548
Austin, TX 78711-2548

**Re: Docket No. AB-439 (Sub-No. 6X)
Dallas Area Rapid Transit – Abandonment Exemption –
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Kirkpatrick & Lockhart LLP

Texas Environmental Protection Division

July 25, 2003

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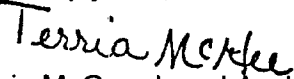
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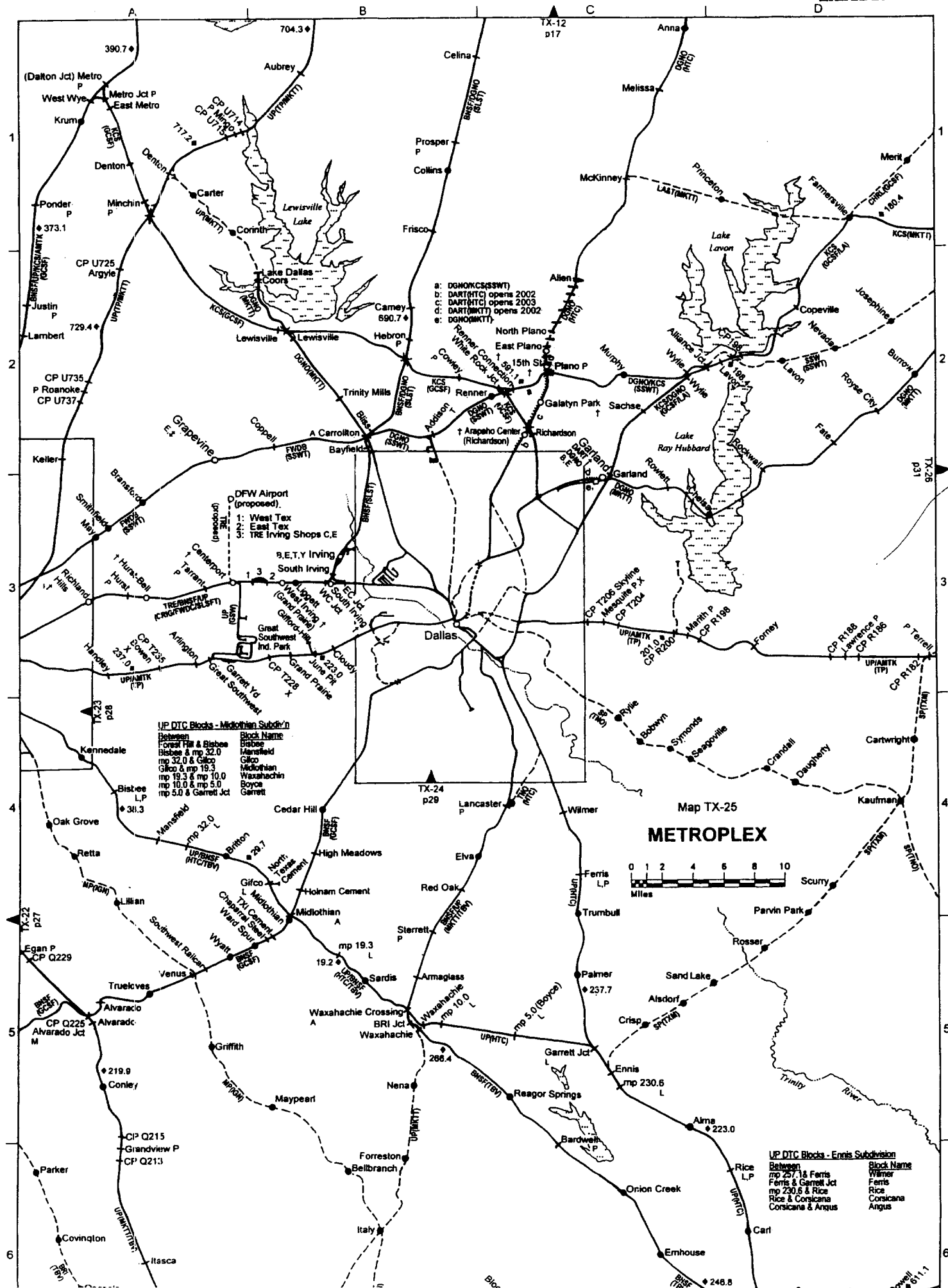
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Terria McGee, Legal Assistant
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Attachment

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1800 Massachusetts Avenue, NW
Suite 200
Washington, DC 20036-1221
202.778.9000
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July 25, 2003

Ms. Melissa Parker
Habitat Assessment Branch
Resource Protection Division
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, TX 78744

**Re: Docket No. AB-439 (Sub-No. 6X)
Dallas Area Rapid Transit – Abandonment Exemption –
In Collin County, Texas**

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Kirkpatrick & Lockhart LLP

Ms. Melissa Parker

July 25, 2003

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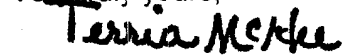
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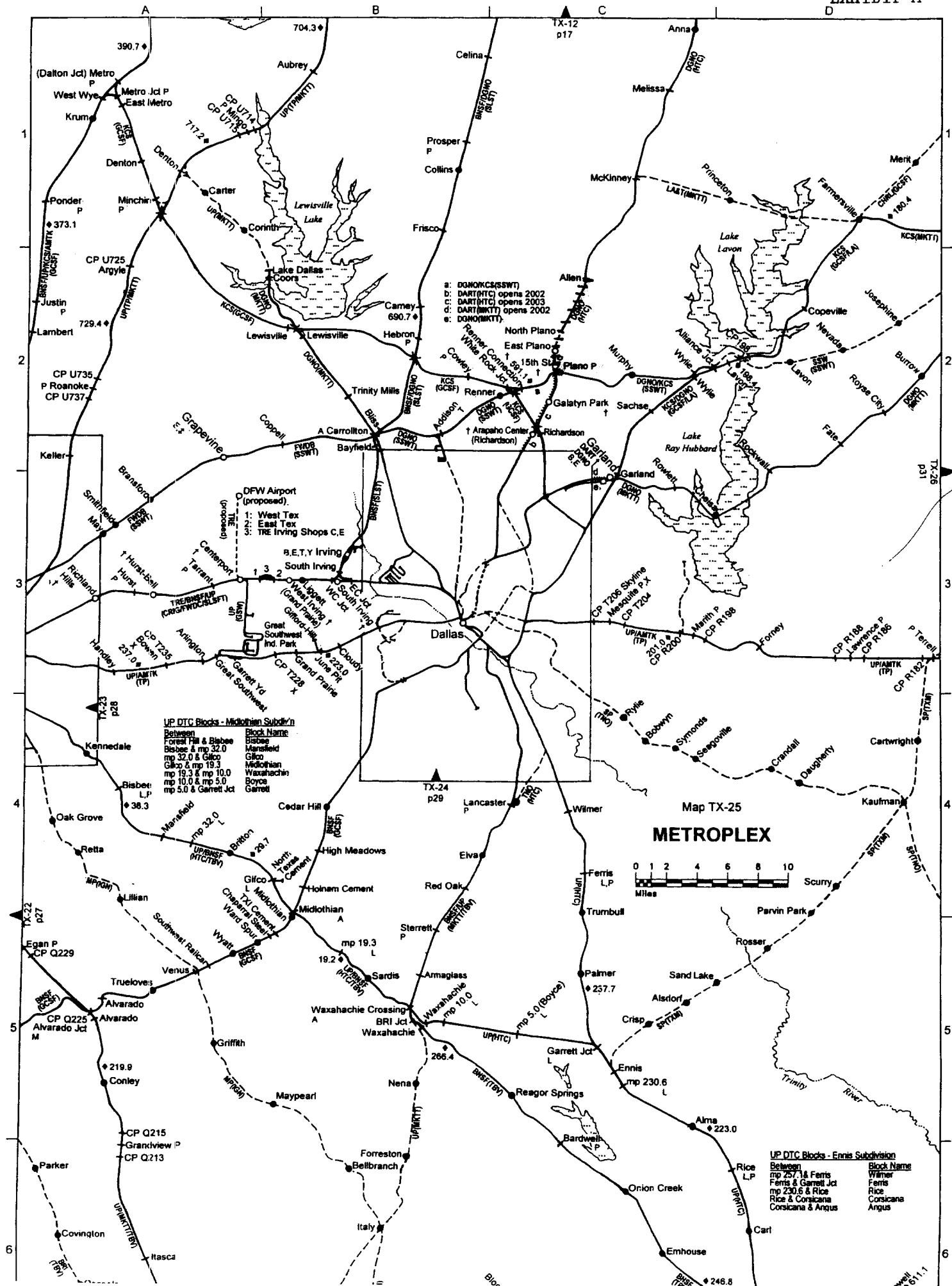
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Attachment

cc: Sandy Franger



Kirkpatrick & Lockhart LLP

Terria McGee
Legal Assistant
202.778.9438
Fax: 202.778.9100
tmcgee@kl.com

Appendix K-1

1800 Massachusetts Avenue, NW
Suite 200
Washington, DC 20036-1221
202.778.9000
www.kl.com

July 25, 2003

Ms. Melissa Parker
Habitat Assessment Branch
Resource Protection Division
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, TX 78744

Texas Parks & Wildlife Dept.
AUG 05 2003
Wildlife Habitat Assessment Program

Re: Docket No. AB-439 (Sub-No. 6X)
Dallas Area Rapid Transit – Abandonment Exemption –
In Collin County, Texas

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Terria McGee

Terria McGee, Legal Assistant
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Attachment

cc: Sandy Franger



Review of the project activity as proposed indicates
no threat to fish and wildlife resources.

Reviewed:

Ray C. Telford
Aug. 25, 2003

Kirkpatrick & Lockhart LLP

Terria McGee
Legal Assistant
202.778.9438
Fax: 202.778.9100
tmcgee@kl.com

1800 Massachusetts Avenue, NW
Suite 200
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July 25, 2003

Texas General Land Office
P.O. Box 12873
Austin, TX 78711-2873

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July 25, 2003

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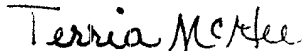
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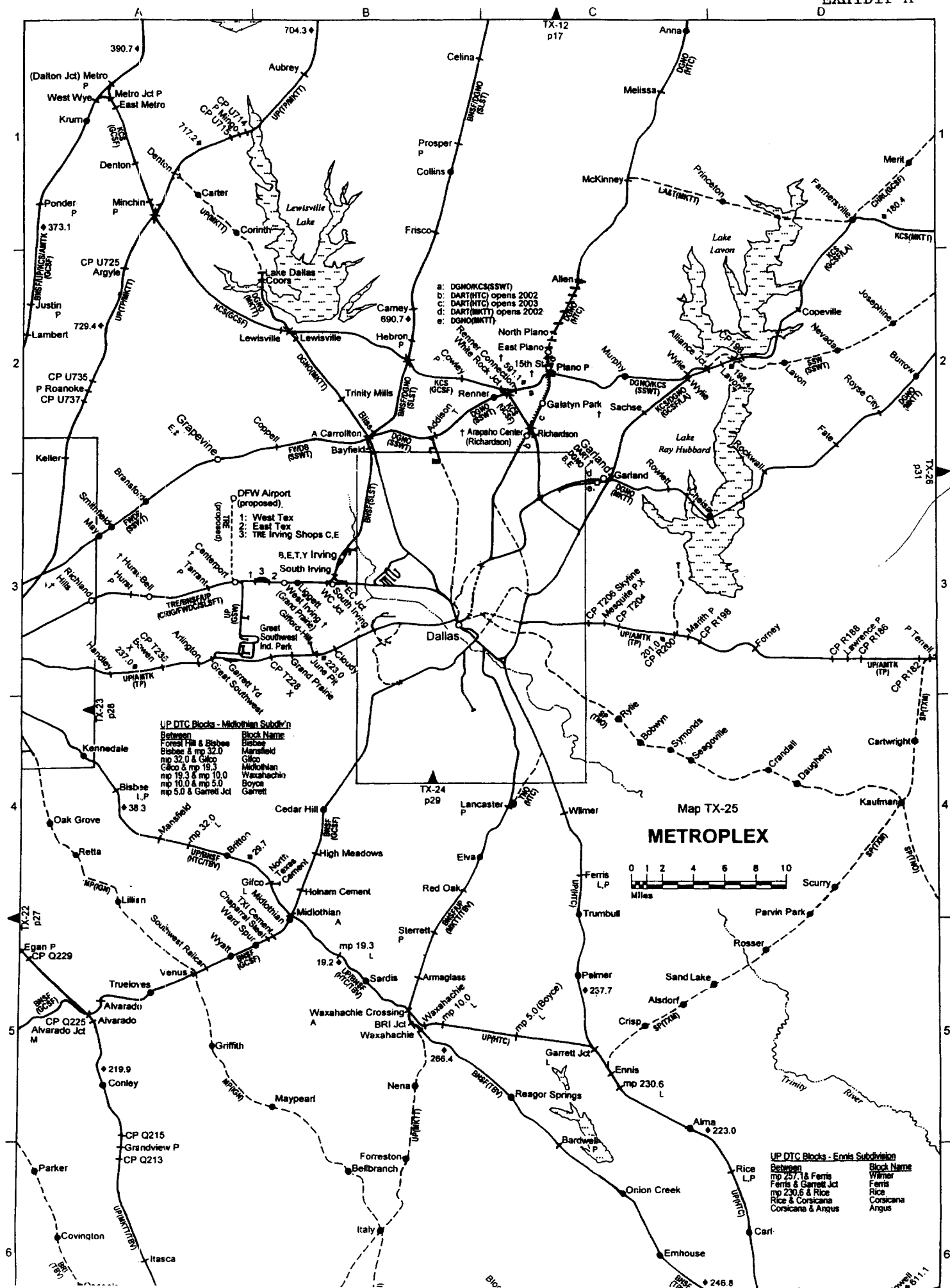
Very truly yours,



Terria McGee, Legal Assistant
Kirkpatrick & Lockhart LLP

Attachment

cc: Sandy Franger





Coastal Coordination Council

P.O. Box 12873 ♦ Austin, Texas 78711-2873 ♦ (512) 463-5385 ♦ FAX (512) 475-0680

Chairman

Jerry Patterson
Texas Land Commissioner



Members

Victor Carrillo
Railroad Commission of Texas

Mayor Victor R. Pierson
Coastal Government
Representative

John Barrett
Agriculture Representative

Memo Benavides
Texas State Soil & Water
Conservation Board

Jack Gibson
Coastal Business Representative

Jack Hunt
Texas Water Development Board

Robert J. Huston
Texas Commission on
Environmental Quality

John W. Johnson
Texas Transportation Commission

Robert Jones
Coastal Resident Representative

Robert R. Stickney
Sea Grant College Program

Mark E. Watson, Jr.
Parks & Wildlife Commission
of Texas



Diane P. Garcia
Council Secretary

Kristan D. Clann
Permit Service Center
1-866-894-3578

August 28, 2003

Ms. Terria McGee
Kirkpatrick & Lockhart, LLP
1800 Massachusetts Ave., NW
Suite 200
Washington, DC 20036-1221

Re: Docket No. AB-439 (Sub-No. 6X): Dallas Area Rapid Transit
Docket No. AB-585 (Sub-No. 1X): Dallas, Garland &
Northeastern Railroad.

Dear Ms. McGee:

It has been determined that the project referenced above is outside the Texas Coastal Management Program (CMP) boundary. Therefore, it is not subject to consistency review under the Texas CMP.

Sincerely,

Tammy S. Brooks
Program Specialist
Coastal Coordination
Texas General Land Office

Kirkpatrick & Lockhart LLP

Terria McGee
Legal Assistant
202.778.9438
Fax: 202.778.9100
tmcgee@kl.com

1800 Massachusetts Avenue, NW
Suite 200
Washington, DC 20036-1221
202.778.9000
www.kl.com

July 25, 2003

Mr. Thomas C. Adams
State of Texas Single Point of Contact
Governor's Office of Budget and Planning
P.O. Box 12428
Austin, TX 78711

**Re: Docket No. AB-439 (Sub-No. 6X)
Dallas Area Rapid Transit – Abandonment Exemption –
In Collin County, Texas**

**Docket No. AB-585 (Sub-No. 1X)
Dallas, Garland & Northeastern Railroad, Inc.
Discontinuance Exemption – In Collin County, Texas**

Dear Mr. Adams:

Dallas Area Rapid Transit ("DART") expects shortly to file with the Surface Transportation Board a notice of exemption from the provisions of 49 U.S.C. § 10903 to abandon its line of railroad between approximately milepost 281.65 in Plano and approximately milepost 290.5 in Allen ("the Subject Line"). The total distance is approximately 8.65 miles, all within Collin County, Texas. Simultaneously, Dallas, Garland & Northeastern Railroad, Inc. ("DGNO") will file for discontinuance of service on the Subject Line. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50. A map showing the location of the Subject Line is attached for your reference.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment so that you may assist us in identifying any potential effects it may have on the following:

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6. Designated wetlands and 100-year flood plains;
7. Endangered or threatened species and critical habitats;
8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Existing or potential safety hazards; or
10. Coastal Zone Management Areas.

DC-574564 v2 0306336-0109

Kirkpatrick & Lockhart LLP

Mr. Thomas C. Adams
July 25, 2003
Page 2

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No rail freight operations have occurred on the Subject Line during the last two (2) years. Accordingly, we foresee no adverse environmental effects given the limited nature of the proposed abandonment. We would appreciate your review of the proposed action and provision of any comments you may have in a written response as soon as possible. Any written comments should reference Docket No. AB-439 (Sub-No. 6X) and be sent to the undersigned, with a copy to:

Surface Transportation Board
Section of Environmental Analysis
Room 500
1925 K Street, N.W.
Washington, D.C. 20423-0001

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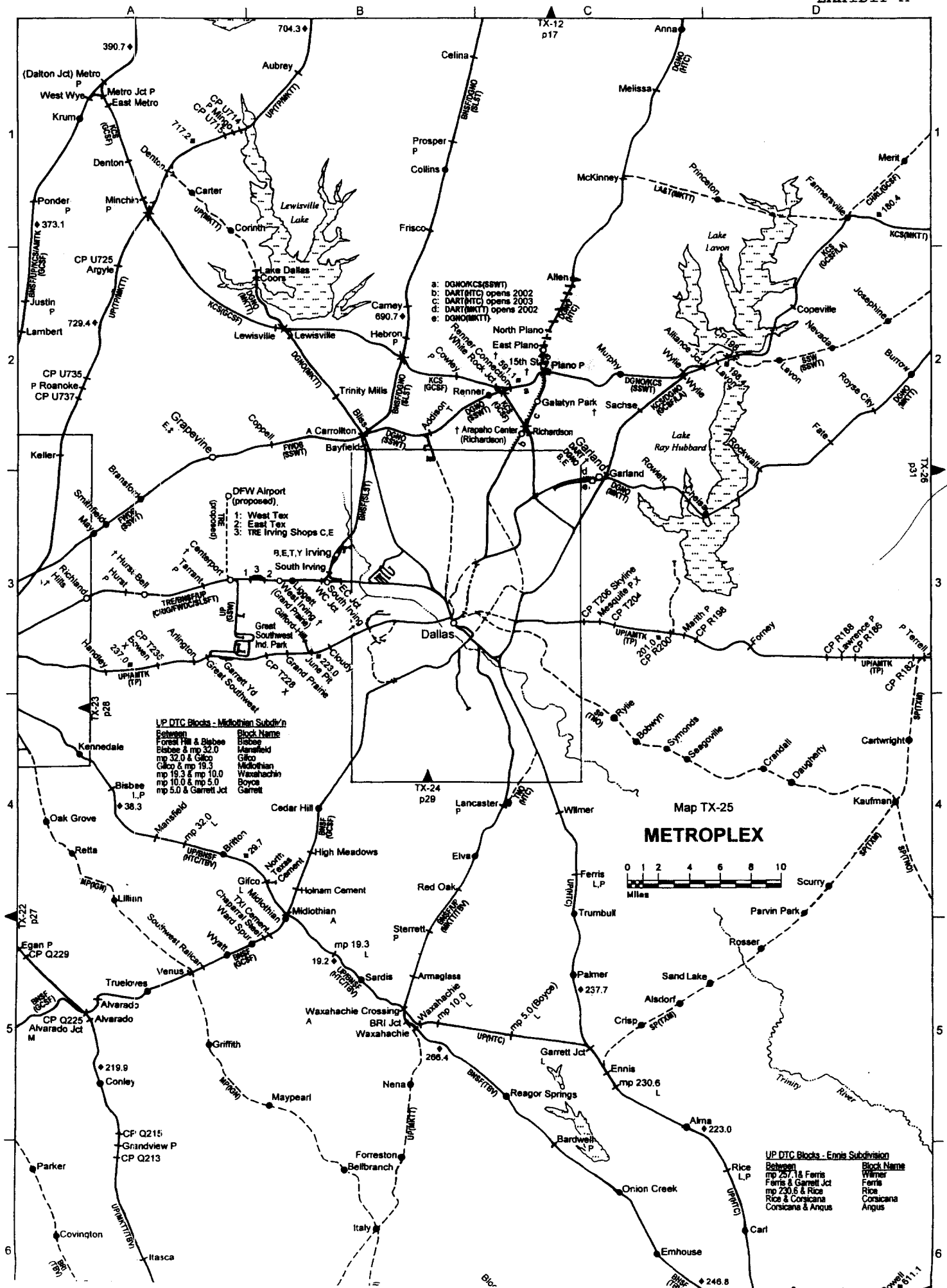
Very truly yours,



Terria McGee, Legal Assistant
Kirkpatrick & Lockhart LLP

Attachment

cc: Sandy Franger



Kirkpatrick & Lockhart LLP

Terria McGee
Legal Assistant
202.778.9438
Fax: 202.778.9100
tmcgee@kl.com

Appendix N

1800 Massachusetts Avenue, NW
Suite 200
Washington, DC 20036-1221
202.778.9000
www.kl.com

July 25, 2003

Mr. James Herrington
Chief, Regulatory Branch
CESWF-EV-R
U.S. Army Corps of Engineers
P.O. Box 17300
Fort Worth, TX 76102-0300

**Re: Docket No. AB-439 (Sub-No. 6X)
Dallas Area Rapid Transit – Abandonment Exemption –
In Collin County, Texas**

**Docket No. AB-585 (Sub-No. 1X)
Dallas, Garland & Northeastern Railroad, Inc.
Discontinuance Exemption – In Collin County, Texas**

Dear Mr. Herrington:

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8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Existing or potential safety hazards; or
10. Coastal Zone Management Areas.

Kirkpatrick & Lockhart LLP

Mr. James Herrington
July 25, 2003
Page 2

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1925 K Street, N.W.
Washington, D.C. 20423-0001

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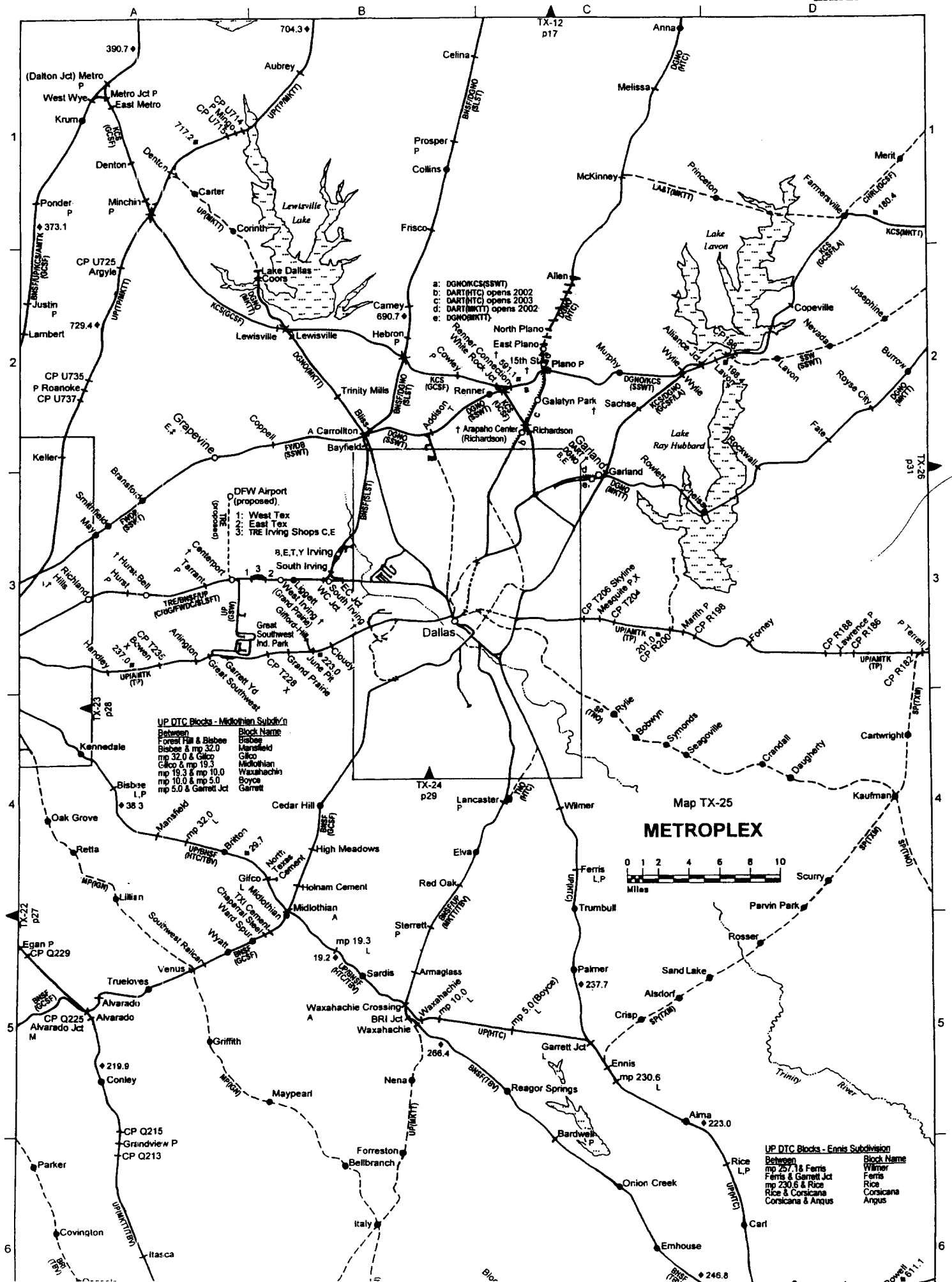
Very truly yours,



Terria McGee, Legal Assistant
Kirkpatrick & Lockhart LLP

Attachment

cc: Sandy Franger





DEPARTMENT OF THE ARMY
FORT WORTH DISTRICT, CORPS OF ENGINEERS
P. O. BOX 17300
FORT WORTH, TEXAS 76102-0300

REPLY TO
ATTENTION OF

August 27, 2003

Planning, Environmental, and Regulatory Division
Regulatory Branch

SUBJECT: Project Number 200300450

Ms. Terria McGee
Legal Assistant
Kirkpatrick & Lockhart LLP
1800 Massachusetts Avenue, NW, Suite 200
Washington, District of Columbia 20036-1221

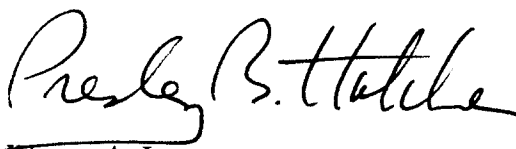
Dear Ms. McGee:

Thank you for your letter of July 25, 2003, concerning a proposal by Dallas Area Rapid Transit to abandon a line of railroad between approximately milepost 281.65 in the city of Plano and approximately milepost 290.5 in the city of Allen, Texas. This project has been assigned Project Number 200300450. Please include this number in all future correspondence concerning this project. Failure to reference the project number may result in a delay.

We have reviewed this project in accordance with Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899. Under Section 404, the U.S. Army Corps of Engineers (USACE) regulates the discharge of dredged and fill material into waters of the United States, including wetlands. The USACE responsibility under Section 10 is to regulate any work in, or affecting, navigable waters of the United States. Based on your description of the proposed work, other information available to us, and current regulations and policy, we have determined that this project will not involve any of the above activities. Therefore, it will not require Department of the Army authorization under the above laws. However, it is incumbent upon you to remain informed of any changes in USACE Regulatory Program regulations and policy as they relate to your project.

Thank you for your interest in our nation's water resources. If you have any questions concerning our regulatory program, please contact Ms. Jessica Napier at the address above or telephone (817) 886-1745.

Sincerely,


for Wayne A. Lea
Chief, Regulatory Branch

Kirkpatrick & Lockhart LLP

Terria McGee
Legal Assistant
202.778.9438
Fax: 202.778.9100
tmcgee@kl.com

1800 Massachusetts Avenue, NW
Suite 200
Washington, DC 20036-1221
202.778.9000
www.kl.com

July 25, 2003

Mr. Robert M. Short
Field Supervisor
U.S. Fish and Wildlife Service
711 Stadium Drive East, Suite 252
Arlington, TX 76011

**Re: Docket No. AB-439 (Sub-No. 6X)
Dallas Area Rapid Transit – Abandonment Exemption –
In Collin County, Texas**

**Docket No. AB-585 (Sub-No. 1X)
Dallas, Garland & Northeastern Railroad, Inc.
Discontinuance Exemption – In Collin County, Texas**

Dear Mr. Short:

Dallas Area Rapid Transit ("DART") expects shortly to file with the Surface Transportation Board a notice of exemption from the provisions of 49 U.S.C. § 10903 to abandon its line of railroad between approximately milepost 281.65 in Plano and approximately milepost 290.5 in Allen ("the Subject Line"). The total distance is approximately 8.65 miles, all within Collin County, Texas. Simultaneously, Dallas, Garland & Northeastern Railroad, Inc. ("DGNO") will file for discontinuance of service on the Subject Line. The notice of exemption will be filed pursuant to 49 C.F.R. § 1152.50. A map showing the location of the Subject Line is attached for your reference.

In accordance with the Board's environmental regulations, 49 C.F.R. § 1105, we are advising you of the proposed abandonment so that you may assist us in identifying any potential effects it may have on the following:

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8. Wildlife sanctuaries or refuges and national or state parks or forests;
9. Existing or potential safety hazards; or
10. Coastal Zone Management Areas.

Kirkpatrick & Lockhart LLP

Mr. Robert M. Short

July 25, 2003

Page 2

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Surface Transportation Board
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Room 500
1925 K Street, N.W.
Washington, D.C. 20423-0001

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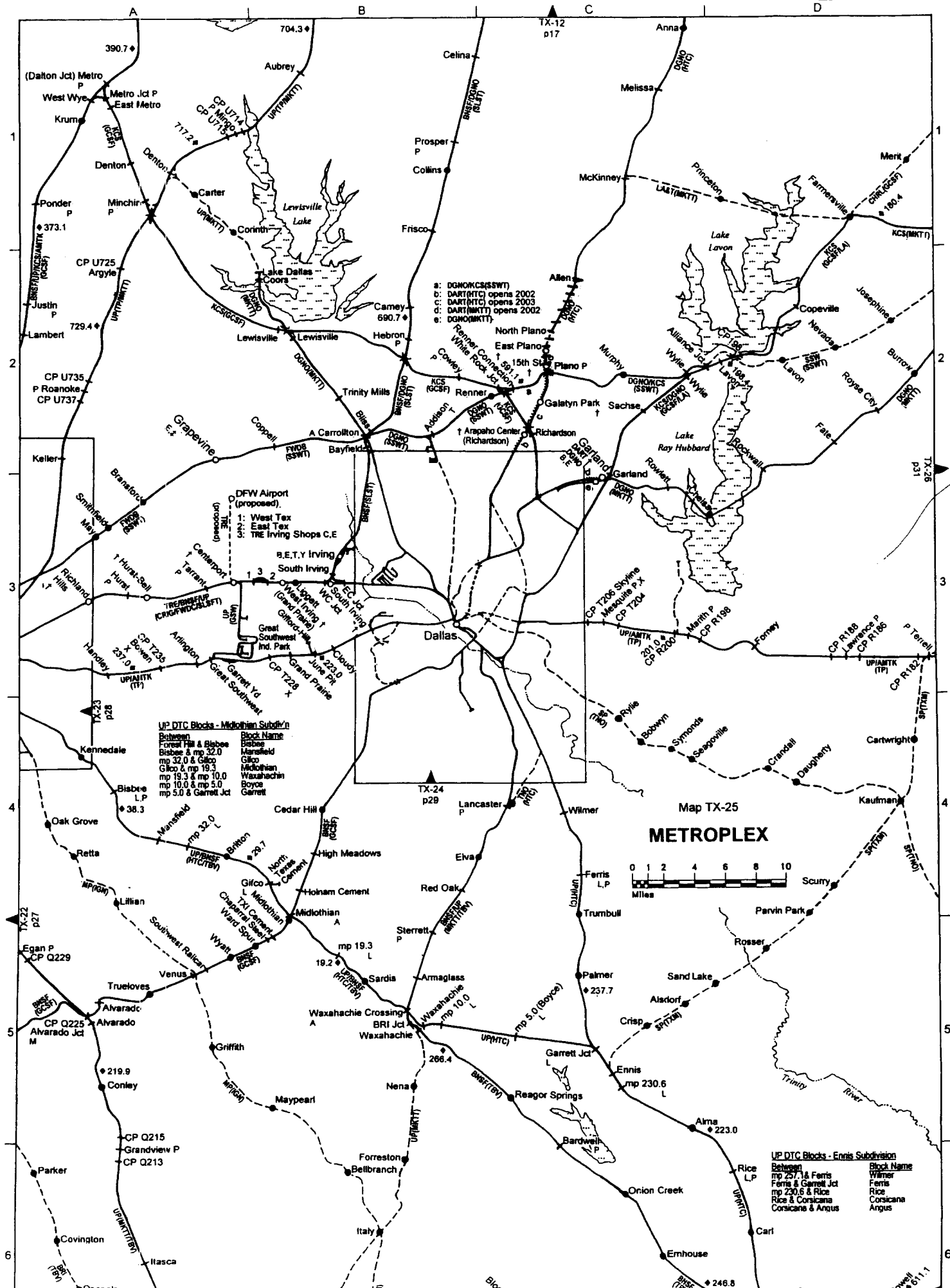
Very truly yours,



Terria McGee, Legal Assistant
Kirkpatrick & Lockhart LLP

Attachment

cc: Sandy Franger



Kirkpatrick & Lockhart LLP

Terria McGee
Legal Assistant
202.778.9438
Fax: 202.778.9100
tmcgee@kl.com

1800 Massachusetts Avenue, NW
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July 25, 2003

Mr. Robert M. Short
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**Re: Docket No. AB-439 (Sub-No. 6X)
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Dallas, Garland & Northeastern Railroad, Inc.
Discontinuance Exemption – In Collin County, Texas**

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Kirkpatrick & Lockhart LLP

Mr. Robert M. Short

July 25, 2003

Page 2

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Very truly yours,

Terria McGee

Terria McGee, Legal Assistant
Kirkpatrick & Lockhart LLP

Attachment

cc: Sandy Franger

Based on available information, the described action is not likely to adversely affect federally threatened or endangered species.

Date August 20, 2003

Consultation # 2-12-03-I-450

Approved by *Tom Cloud*
Thomas J. Cloud, Jr., Field Supervisor
U.S. FISH & WILDLIFE SERVICE, ARLINGTON, TX

Kirkpatrick & Lockhart LLP

Terria McGee
Legal Assistant
202.778.9438
Fax: 202.778.9100
tmcgee@kl.com

1800 Massachusetts Avenue, NW
Suite 200
Washington, DC 20036-1221
202.778.9000
www.kl.com

July 25, 2003

Mr. Edward J. McKay
Chief, Spatial Reference System Division
National Geodetic Survey
National Ocean and Atmospheric Administration
1315 East West Highway, Room 8813
Silver Spring, MD 20910-3282

**Re: Docket No. AB-439 (Sub-No. 6X)
Dallas Area Rapid Transit – Abandonment Exemption –
In Collin County, Texas**

**Docket No. AB-585 (Sub-No. 1X)
Dallas, Garland & Northeastern Railroad, Inc.
Discontinuance Exemption – In Collin County, Texas**

Dear Mr. McKay:

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Kirkpatrick & Lockhart LLP

Mr. Edward J. McKay

July 25, 2003

Page 2

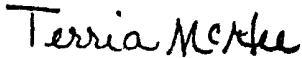
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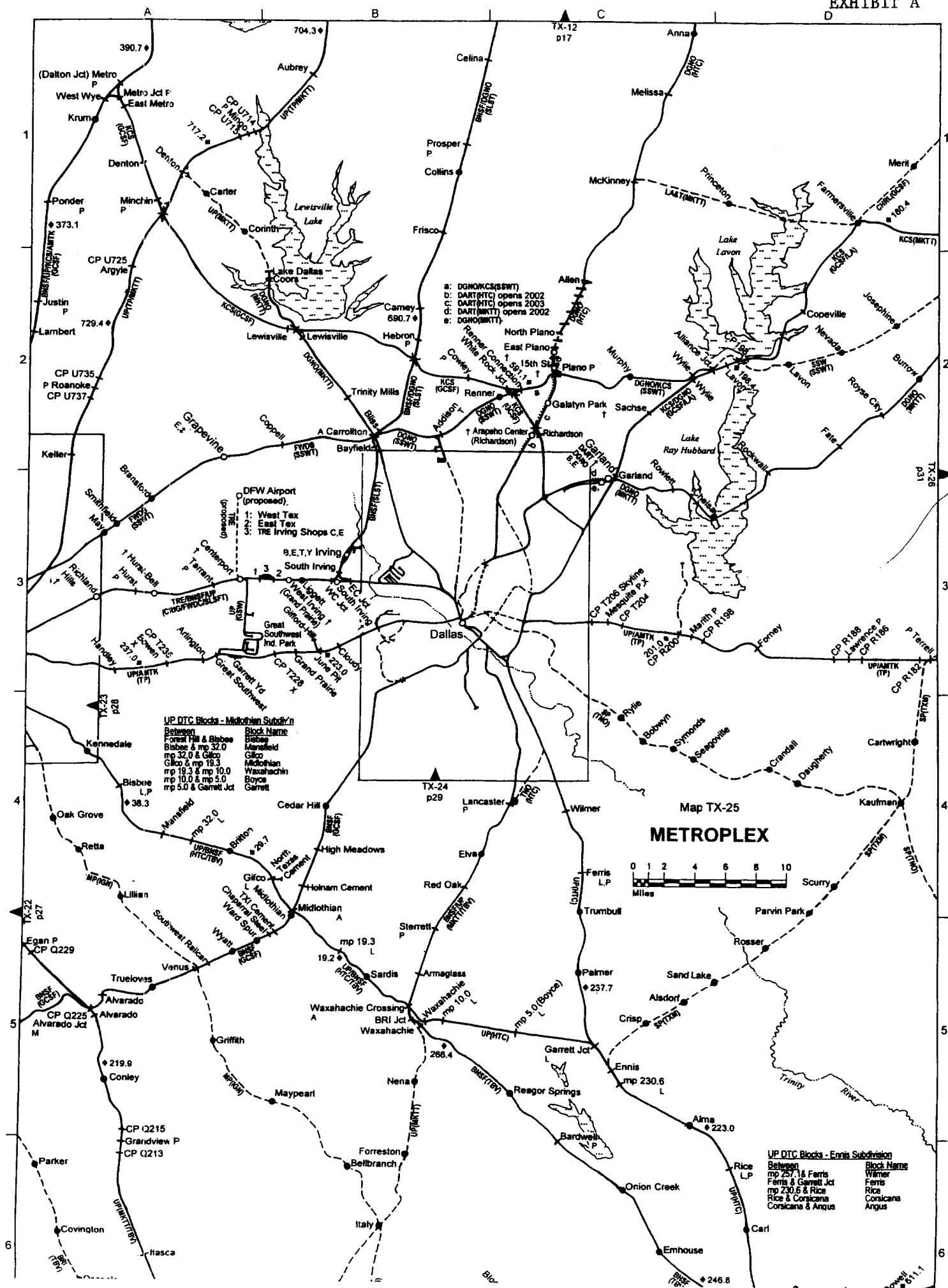
Very truly yours,



Terria McGee, Legal Assistant
Kirkpatrick & Lockhart LLP

Attachment

cc: Sandy Franger





Appendix P-1

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL OCEAN SERVICE
National Geodetic Survey
Silver Spring, Maryland 20910-3282

SEP 4 2003

Ms. Victoria J. Rutson
Chief, Section of Environmental Analysis
Surface Transportation Board
1925 K Street, N.W.
Washington, D.C. 20423-0001

Dear Ms. Rutson:

The area in question on the map with the Environmental and Historic Reports for the proposed rail line abandonment of Norfolk Southern Railway Company for 2.0 miles of rail line located between Milepost SA49.0 to Milepost SA51.0 Montmorenci to Oakwood, Alken County, South Carolina, STB Docket No. - Not Stated, has been reviewed within the areas of National Geodetic Survey (NGS) responsibility and expertise and in terms of the impact of the proposed actions on NGS activities and projects.

As a result of this review, 3 geodetic station markers have been identified that may be affected by the proposed abandonment; a listing of these markers is enclosed. Additional information about these station markers can be obtained via the Internet or NGS CD-ROM. A fact sheet for these two data retrieval methods is enclosed. If there are any planned activities which will disturb or destroy these markers, NGS requires not less than 90 days notification in advance of such activities in order to plan for their relocation.

If further information is needed for this geodetic marker, contact Mr. Frank C. Maida. His address is NOAA, N/NGS2, Room 8736, 1315 East-West Highway, Silver Spring, Maryland 20910-3282, telephone: 301-713-3198, fax: 301-713-4324, e-mail: Frank.Maida@noaa.gov.

Sincerely,

Richard A. Snay
Chief, Spatial Reference System Division

Enclosures

cc: N/NGS1 - G. Mitchell
N/NGS1x1 - C. Middleton
Terria McGee, Kirkpatrick & Lockhart LLP



Printed on Recycled Paper



NORFOLK SOUTHERN RAILWAY COMPANY

BETWEEN MONTMORENCI AND OAKWOOD

IN AIKEN COUNTY, SOUTH CAROLINA

STB DOCKET NO. - NOT STATED

3 GEODETIC CONTROL MARKS IN THE PROPOSED ABANDONMENT AREA

PIDS	DESIGNATION	LATITUDE	LONGITUDE
DE1144	X 41	N333110	W0813559
DE2496	AKGPS 43	N333128	W0813719
DE1145	Y 41	N333139	W0813803



National Geodetic Survey - News Flash!



GEODETTIC DATA AVAILABLE FREE ON THE INTERNET

Are you interested in getting the most current position, height, and descriptive information for all the geodetic control points in the National Spatial Reference System? Are you interested in getting this information immediately, free of cost, and whenever you want it? With an Internet connection, this information is yours to download.

The National Geodetic Survey's (NGS) data sheet contains position, height, and descriptive information for approximately 750,000 control points throughout the United States. The data sheet provides:

- ▶ The geodetic coordinates and the orthometric height for each point
- ▶ The horizontal and vertical datums on which the information is based
- ▶ State plane coordinates and Universal Transverse Mercator coordinates
- ▶ Modeled geoid height, ellipsoidal height, modeled gravity, and Laplace correction
- ▶ A description of the station's location and how to reach it

To obtain this information, set your Web browser to
http://www.ngs.noaa.gov/products_services.html

For more information contact:
NOAA, National Geodetic Survey, N/NGS12
1315 East-West Highway, Station 09202
Silver Spring, MD 20910
Telephone: (301) 713-3242; Fax: (301) 713-4172
Monday through Friday, 7:00 a.m. - 4:30 p.m., Eastern Time
<http://www.ngs.noaa.gov>



NGS: Tying America Together

Kirkpatrick & Lockhart LLP

Terria McGee
Legal Assistant
202.778.9438
Fax: 202.778.9100
tmcgee@kl.com

1800 Massachusetts Avenue, NW
Suite 200
Washington, DC 20036-1221
202.778.9000
www.kl.com

July 25, 2003

Mr. Curtis Tunnell
Executive Director
Texas Historical Commission
P.O. Box 12276, Capital Station
Austin, TX 78711

**Re: Docket No. AB-439 (Sub-No. 6X)
Dallas Area Rapid Transit – Abandonment Exemption –
In Collin County, Texas**

**Docket No. AB-585 (Sub-No. 1X)
Dallas, Garland & Northeastern Railroad, Inc.
Discontinuance Exemption – In Collin County, Texas**

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Kirkpatrick & Lockhart LLP

Mr. Curtis Tunnell

July 25, 2003

Page 2

1800 Massachusetts Avenue, NW

Suite 200

Washington, DC 20036-1221

202.778.9000

www.kl.com

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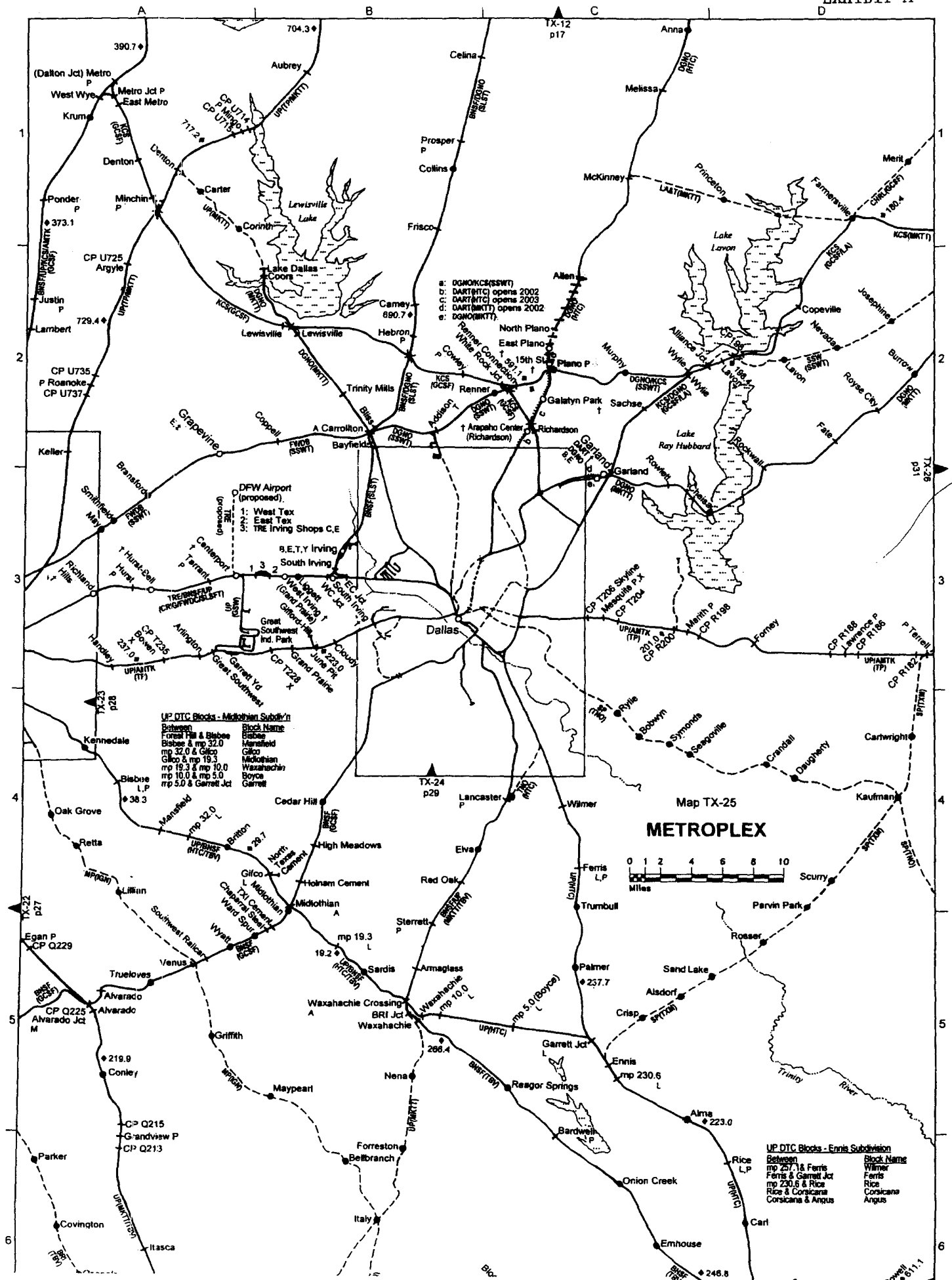
Very truly yours,



Terria McGee, Legal Assistant
Kirkpatrick & Lockhart LLP

Attachment

cc: Sandy Franger





TEXAS
HISTORICAL
COMMISSION

The State Agency for Historic Preservation

RICK PERRY, GOVERNOR

JOHN L. NAU, III, CHAIRMAN

F. LAWRENCE OAKS, EXECUTIVE DIRECTOR

Appendix Q-1

August 19, 2005

John Hoppie
Dallas Area Rapid Transit
PO Box 660163
Dallas, TX

RE: *Allen Water Station, Collin County. NRHP eligibility of Rowlett and Cotton Creek bridges, and structures.*

Dear Mr. Hoppie:

Thank you for your July 20, 2005 letter regarding the above referenced project. This letter serves as comment from the State Historic Preservation Officer, the Executive Director of the Texas Historical Commission. The review staff, led by Hannah Vaughan, has reviewed your letter and has the following comments:

We concur with your determination that the Rowlett and Cottonwood Creek bridges are both eligible for listing in the National Register of Historic Places (NRHP). Furthermore, because site 41COL19 is already designated a State Archaeological Landmark, it would also meet the criteria for listing in the NRHP under criterion D.

We look forward to further consultation with your office to determine the effect of the proposed undertaking on the eligible properties and hope to maintain a partnership that will foster effective historic preservation. Thank you for your cooperation in this federal review process, and for your efforts to preserve the irreplaceable heritage of Texas.

Sincerely,

A handwritten signature in dark ink, appearing to read "Hannah Vaughan", written over a horizontal line.

Hannah Vaughan
Historian

CERTIFICATE OF SERVICE

I hereby certify that Dallas Area Rapid Transit ("DART") has consulted with all appropriate agencies in preparing the foregoing Environmental/Historic Report and that on November 4, 2005, a copy of the foregoing report was served by first class mail, postage prepaid, upon each of the following agencies as designated in 49 C.F.R. § 1105.7(b):

Mr. Thomas C. Adams
State of Texas Single Point of Contact
Governor's Office of Budget and Planning
P.O. Box 12428
Austin, TX 78711

Mr. Charles W. Heald
Executive Director
Texas Department of Transportation
125 East 11th Street
Austin, TX 78701-2483

Mr. Douglas Fraser
Natural Resources Division
Office of the Attorney General
P.O. Box 12548
Austin, TX 78711-2548

Mr. Wayne Lea
Chief, Regulatory Branch
CESWF-EV-R
U.S. Army Corps of Engineers
P.O. Box 17300
Fort Worth, TX 76102-0300

Mr. Robert M. Short
Field Supervisor
U.S. Fish and Wildlife Service
711 Stadium Drive East, Suite 252
Arlington, TX 76011

Mr. Michael P. Jansky
Regional Environmental Review Coordinator
U.S. Environmental Protection Agency, Region 6
First Interstate Bank Tower
1445 Ross Avenue, Suite 1200
Dallas, TX 75202-2733

Mr. William D. Shaddox
Chief, Land Resources Division
National Park Service
800 North Capitol Street, N.E., Room 540
Washington, DC 20002

Honorable Ron Harris
Collin County Judge
210 South McDonald
Dallas, TX 75202

Ms. Kathy Boydston
Wildlife Division
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, TX 78744

Ms. Sidney Wheeler
Program Administrator
Intergovernmental Relations Division
Texas Natural Resource Conservation Commission
P.O. Box 13087
Austin, TX 78711-3087

Texas Environmental Protection Division
P.O. Box 12548
Austin, TX 78711-2548

Mr. Richard Snay
Chief, Spatial Reference System Division
National Geodetic Survey
National Oceanic and Atmospheric Administration
1315 East West highway, Room 8813
Silver Spring, MD 20910-3282

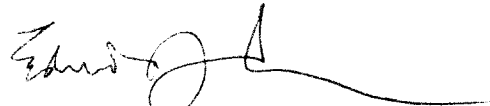
Ms. Julie K.P. Dunbar
Principal Transportation Engineer
North Central Texas Council of Governments
616 Six Flags Drive
Centerpoint Two
P.O. Box 5888
Arlington, TX 76005-5888

Mr. Lawrence Oaks
Executive Director
Texas Historical Commission
P.O. Box 12276, Capital Station
Austin, TX 78711

Mr. Harry W. Oneth
State Conservationist
USDA Natural Resources Conservation
Service
101 South Main Street
Temple, TX 76501-7682

Ms. Tammy Brooks
Coastal Management Coordination
Texas General Land Office
P.O. Box 12873
Austin, TX 78711-2873

Mr. Ruben E. Delgado
Director of Engineering
Collin County
825 McDonald Street, Suite 160
McKinney, TX 75069

A handwritten signature in black ink, appearing to read 'Edward J. Fishman', written over a horizontal line.

Edward J. Fishman

CERTIFICATION OF PUBLICATION
PURSUANT TO
49 C.F.R. § 1105.12

I, Edward J. Fishman, hereby certify as follows:

1. I have contacted the newspaper of general circulation for the county in which the rail line to be abandoned in this proceeding is located and arranged for the publication of a Notice of Intent to Abandon pursuant to 49 C.F.R. § 1105.12:

The Dallas Morning News
P.O. Box 655237
Dallas TX 75265-5237

Proof of publication from The Dallas Morning News is attached.



Edward J. Fishman

Dated:

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS

COUNTY OF DALLAS

Before me, a Notary Public in and for Dallas County, this day personally appeared Lynda Black, Legal Advertising Representative for the DALLAS MORNING NEWS being duly sworn by oath, states the attached advertisement of:

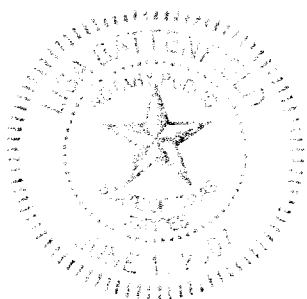
DART

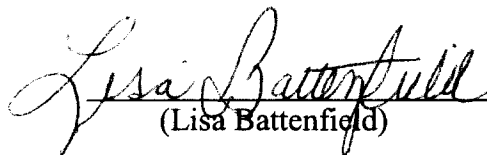
as published in THE DALLAS MORNING NEWS on: October 17, 2005


(Lynda Black)

Sworn to and subscribed before me this

October 18, 2005, 2005




(Lisa Battenfield)

ectory

77-7857

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reap Dependable
HAUL Anything
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must sell cheap! 972-484-
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Legal Bids & Notices

- Bankruptcy, Court Sales
- Bids and Proposals
- Legal Notices

Bids & Proposals

Advertisement of Intent
to Seek Proposals

The Dallas/Fort Worth International Airport Board (DFW) plans to request proposals (RFP) for an opportunity to lease its oil, gas and other liquid and gaseous hydrocarbons that may be produced through a well bore. DFW intends to award the lease, in its sole discretion, to the entity or individual submitting the proposal (Proposer) that receives the highest and best evaluation in accordance with the standards and instructions as set forth in the REQUEST FOR PROPOSALS FOR OIL AND GAS LEASE AT DALLAS/FORT WORTH INTERNATIONAL AIRPORT. DFW reserves the right to reject any and all proposals at its sole discretion. In order to expedite the RFP process, DFW has established qualification criteria. These Proposer Qualifications are the minimum criteria required to receive an RFP. Failure to meet the minimum qualifications disqualifies a potential Proposer from receiving an RFP.

A general briefing regarding DFW's plans and a review of Proposer Qualifications will be held Wednesday, October 19, 2005, from 2:00 PM to 4:00 PM at the DFW Grand Hyatt, Gateway Ballroom, at DFW Airport, Terminal D. While attendance at this conference is not mandatory, interested firms are encouraged to attend. Following an initial briefing, representatives of participating firms will be invited to comment on the Proposer Qualifications. DFW strongly encourages D / M / W / B / E (Disadvantaged, Minority and Women Owned Business Enterprise) firms to participate in the effort. DFW will be encouraging proposals which include D/MWBE firms.

For more information, please contact the Commercial Development Department at DFW Airport at (972) 574-7424.

Number 0509151003)

Notice of Abandonment

Dallas Area Rapid Transit gives notice that on or about October 20, 2005 it intends to file with the Surface Transportation Board, Washington, DC 20423, a notice of exemption under 49 C.F.R. 1152 Subpart F - Exempt Abandonments permitting the abandonment of a railroad line between approximately milepost 281.65 near Plano, TX and approximately milepost 290.5 near Allen, TX (the "Subject Line"). Dallas, Garland and Northeastern Railroad Company ("DGNO") seeks to discontinue its freight operating rights over the Subject Line. The total distance of the Subject Line is approximately 8.85 miles, all within Collin County, Texas. The Subject Line traverses one or more of the following United States Postal Service Zip Codes: 75023, 75024, 75025, 75026, 75074, 75075, 75086, 75093, 75094, 75002 and 75013. No local or overhead freight rail traffic of any kind has moved over the Subject Line for at least the past two (2) years. The abandonment proceeding will be docketed as AB-439 (Sub-No. 6X). The discontinuance proceeding will be docketed as AB-585 (Sub-No. 1X).

The Board's Section of Environmental Analysis (SEA) will generally prepare an Environmental Assessment (EA), which will normally be available 25 days after the filing of the notice of exemption. Comments on environmental and energy matters should be filed no later than 15 days after the EA becomes available to the public and will be addressed in a Board decision. Interested persons may obtain a copy of the EA or make inquiries regarding environmental matters by writing to the Section of Environmental Analysis, Surface Transportation Board, Washington DC 20423 or by calling that office at 202-565-1526.

Appropriate offers of financial assistance to continue rail service can be filed with the Board. Requests for environmental conditions, public use conditions, or rail banking/trails use also can be filed with the Board. An original and 10 copies of any pleading that raises matters other than environmental issues (such as trails use, public use, and offers of financial assistance) must be filed directly with the Board's Office of the Secretary, 1925 K Street, N.W. Washington, DC 20423, and one copy must be served on applicant's representative. Questions regarding offers of financial assistance, public use or trails use may be directed to the Board's Office of Congressional and Public Services at 202-565-1592. Copies of any comments or requests for conditions should be served on the applicant's representative: Edward J. Fishman, Kirkpatrick & Lockhart Nicholson Graham LLP, 1800 Massachusetts Avenue, NW 2nd Floor, Washington DC 20036-1800, (202) 778-9000.

Public Meeting 10/24/05
for Regional Funding
Plan 2006-07

SEE Less Trash
Regional Solid Waste
Management Plan for
North Central Texas

North Central Texas Council of Governments (NCTCOG) is designated by Texas Commission on Environmental Quality (TCEQ) as the regional planning agency for municipal solid waste management in the 16-county region surrounding the Dallas/Fort Worth area. You are invited to a meeting where NCTCOG hopes to hear from anyone interested in implementing the SEE Less Trash Regional Solid Waste Management Plan utilizing project funds passed through from the TCEQ to all regional planning agencies.

NCTCOG will highlight grant funding possibilities for all eligible entities in North Central Texas at this public meeting. This is your opportunity to discuss and comment on the draft FY2006-07 Regional Funding Plan which provides approximately \$1.2 million for local/regional solid waste management projects on a competitive basis for FY06 and approximately \$1.2 million for FY07.

NCTCOG Board Room
616 Six Flags Drive
Arlington, TX 76011
1:30 to 3:30 p.m.

The regional solid waste advisory committee, NCTCOG's Resource Conservation Council, invites local governments, private solid waste service providers and recycling companies plus any interested person to this public meeting on Monday, October 24, 2005 at 1:30 p.m. If you have a disability requiring special arrangements to attend this meeting or for additional information, call Kathleen Graham at 817 695-9217 72-hours prior to the meeting.



DALLAS COUNTY SHERIFF'S DEPARTMENT NOTICE OF AUCTION

STATE OF TEXAS
COUNTY OF DALLAS

ABANDONED MOTOR
VEHICLE
(CHAP. 683,
TRANSPORTATION
CODE)

MAKE: PONTIAC
YEAR: 1988
STYLE: 4D

VIN: 1G2AF51WJT238032
REGISTERED OWNER:
Unknown
RECORDED LIEN
HOLDER:
Unknown
STORAGE LOCATION:
Hester's Wrecker Service
1341 Tripp Rd
Mesquite, TX 75150
#972-288-9385

THIS MOTOR VEHICLE
SHALL BE SOLD AT
PUBLIC AUCTION. ANY
PURCHASER OF THE
VEHICLE SHALL TAKE FREE
AND CLEAR OF ALL
LIENS AND CLAIMS OF
OWNERSHIP.

LOCATION OF PUBLIC
AUCTION:
Contact above storage lo-
cation

DATE AND TIME OF
PUBLIC AUCTION:
Contact above storage lo-
cation

LOOKING FOR SOMETHING?